FILE COPY

GOVERNMENT OF THE VIRGIN ISLANDS OF THE UNITED STATES

DEPARTMENT OF PLANNING AND NATURAL RESOURCES
DIVISION OF ENVIRONMENTAL PROTECTION

8100 Lindberg Bay, Ste. #61
Cyril E. King Airport, Terminal Building, Second Floor
ST. THOMAS, VI 00802
PHONE: (340) 774-3320, FAX: (340) 714-9549

This Territorial Pollutant Discharge Elimination System (TPDES) permit is issued in compliance with 12 V.I. CODE ANN. § 185 in accordance with the provisions of the Federal Water Pollution Control Act, as amended, (33 USC 1251 et seq.) (hereinafter referred to as "The Act").

BCM/CHI FRENCHMAN'S REEF, INC. (herein referred to as the Permittee)
Estate Bakkeroe No. 5
St. Thomas, VI 00802

The Permittee is authorized to discharge from a facility located at the above address, to the receiving waters listed in the table below, in accordance with effluent limitations and monitoring requirements and other conditions set forth in parts I and II hereof, including the collection system(s) outfalls.

BEST PROFESSIONAL JUDGMENT (BPJ) CATEGORY – RLL	*CONDOMINIUMS/ HOTELS/ RESORTS/ MARINAS* (STT-STJ) Frenchman Bay Subwatershed	*Equipment Cooling, R/O – WWTF MAJOR TPDES Permit*

TPDES Permit No. VI0039829	Wastewater Process and/or Product	Daily Maximum	Monthly Average	Disinfection Type	RECEIVING WATER
001(A-E) FLOW (MGD)	Equipment Cooling, Secondary Treatment & Reverse Osmosis Brine	5.969	5.762	Chlorination	Morningstar Bay & Irrigation system
002 FLOW (MGD)	Stormwater	0.004	N/A	N/A	Pacquereau Bay

Date Original Application Received: 11/04/10 Date Complete Application Received: 1/17/12

Permit Administrator: Rhonda L. Liburd Date: 7/20/12
Rhonda L. Liburd, M.A.Ed.

Program Manager Approval: Rhonda L. Liburd Date: 7/20/12
Program Manager

Director Approval: David A. Simon Date: 7/20/12
David Alvaro Simon, P.E.

This MODIFICATION permit shall become effective on August 1, 2012 and authorization to discharge expires July 31, 2017 with a renewal application date of January 31, 2017.

Alicia V. Barnes
Commissioner

7/20/2012
Date

Frenchman's Reef 2012 TPDES Renewal/Modification
FACT SHEET

This document gives pertinent information concerning the TPDES Permit Listed below. This permit is being processed as a Major TPDES permit. The discharge results from the operation of **R/O Brine, Secondary Treatment, Equipment Cooling, Stormwater / Hotel**.

1. **Facility Name, Location, & Type:**

   Name: **Frenchman's Reef**
   Location: **Estate Bakkeroe No. 5**
   Facility Type: **Hotel-Resort**
   SIC/NAICS Code: **4952 (sewage system); 4941 (water supply); 4971 (irrigation system);70 (hotels) / 721110**

2. **Permit No.**

   Permit No.: **VI0039829**

3. **Owner/Contact Information:**

   Owner(s): **Jose Gonzalez – General Manager**
   Address: **Estate Bakkeroe No. 5**
   Phone: **(340) 776-8500**

4. **Application Process Information:**

   Application Complete Date: 1/17/2012
   Permit Drafted By: Rhonda Liburd, Environmental Specialist, III, TPDES Permit Writer
   Date Drafted: 1/18/2012
   Draft Permit Reviewed By: David Alvaro Simon, P.E., Director
   Reviewed: 3/4/2012
   Public Comment Period: "Pending" Start Date: "Pending" 6/20/12 **End Date: "Pending"** 6/21/12

5. **Receiving Waters Information:**

   Receiving Waters Name: **Morning Star Bay & Irrigation System**
   Watershed: **Frenchman's Bay Subwatershed**

6. **Statutory or Regulatory Basis for Special Conditions and Effluent Limitations:**

   Clean Water Act
   Water Quality Standards of the Virgin Islands
   EPA 440/5-86-001 (EPA Quality Criteria for Water 1986) (Gold Book)
   Best Professional Judgment (BPJ)

7. **Permit Characterization:**

Private
Major
Technology Based Effluent Limited
Water Quality Standards Limited

8. **Facility Description:**

Frenchman's Reef Hotel/Morning Star has 478 guest rooms with a maximum occupancy of 956 persons. Frenchman's Cove Resort has 221 units with a maximum occupancy of 873.

- 2 Generators located in TE plant ground level
- 2 Boilers located in Plant Ground Level
- 6 Restaurants
- 10 Grease Traps
- 2 Laundry facilities
- A Reverse Osmosis water plant is operated to supplement the public water supply. The plant is sized to produce 60,000 gpd of potable water. The plant will take water from the seawater chiller discharge line (150,000 gpd) and discharge into the existing outfall pit (90,000 gpd).
- Chillers will be used for cooling. Equipment Cooling Waterfall (5.472 gpd)
- Waste Water Treatment Plant (240,000 gpd)
- Stormwater Runoff (400 gpd)

See Attachment 1 for flow diagram of the treatment works system.

Table 1 – Outfall Description

Outfall No.	Discharge Sources	Treatment	Flow	Outfall Location - Lat/Long
001	Equipment Cooling	N/A	5.472	18.19.30 / 64.55.37 / Morning Star Bay
001B	WWTP	Chlorine	0.16	18.19.30 / 64.55.37 / Irrigation System (001C & 001D)
001C	WWTP	Chlorine	0.05	18.19.31 / 64.55.37 / Irrigation System – Frenchman's Reef
001D	WWTP	Chlorine	0.03	18.19.31 / 64.55.37 / Irrigation System / Frenchman's Cove
001E	R/O	N/A	0.09	18.19.31 / 64.55.37 / Morning Star Bay
002	Stormwater Runoff	N/A	0.004	18.19.33 / 64.55.37 / Pacquereau Bay

9. **Sludge Treatment and Disposal Methods:**

Mangrove Lagoon WWTP

10. **Receiving Water Quality and Water Quality Standards:**

a.) Ambient Water Quality Data

WQT-11-0003 (Sea Water Intake Line)

No TMDL established for the waterbodies listed above.

b.) Receiving Water Quality Criteria

Title 12, Chapter 7, Subchapter 186 designates classes and general standards applicable to defined Virgin Island Coastal Water sections. The receiving water is located within the **Frenchman's Bay Watershed** of Virgin Island Waters, and classified as **Class B** water.

As per 40 CFR §122.21 k (5)(i), applicants must report on specific pollutants and parameters. Additional reporting and monitoring requirements are implemented according to 40 CFR §122.21 k (5)(ii).

The following limitations are to be put into effect for this permit's discharge:

Table 1A: REQUIRED EFFLUENT LIMITATIONS AND MONITORING

Effluent Characteristic (Parameter)	Effluent Concentration Limitations			Monitoring Requirements		
	Maximum Daily Limit	Percent Removal	Average Monthly Limit	Sample Location	Sample Frequency	Sample Type
001A FLOW (MGD) *(equipment cooling waterfall)*	***5.472***	N/A	***5.472***	Effluent	Continuous	Continuous
Temp (°C)	32	N/A	N/A	Effluent	DAILY	Grab or Cont.
pH	6 to 8.3	N/A	N/A	Effluent	DAILY	Grab or Cont.
001B FLOW (MGD) (WWTP) **001C FLOW** (MGD) (WWTP) **001D FLOW** (MGD) (WWTP)	***0.16 (waterfall)*** ***0.05 (Reef)*** ***0.03 (Cove)*** *Total* ***5.712***	N/A	***0.12 (waterfall)*** ***0.05 (Reef)*** ***0.03 (Cove)*** *Total* ***5.672***	Effluent	Continuous	Continuous

Temp (°C)	32	N/A	N/A	Effluent	DAILY	Grab or Cont.
pH	6 to 8.3	N/A	N/A	Effluent	DAILY	Grab or Cont.
BOD_5	50 lbs/day	≥85*	30 mg/l	Influent and Effluent	MONTHLY	24-hour Composite
TSS	50 lbs/day	≥85*	30 mg/l	Influent and Effluent	MONTHLY	24-hour Composite
Fecal Coliform (#/100ml)	70**	N/A	N/A	Effluent	WEEKLY	Grab
Residual Chlorine (ppm)	1***	N/A	N/A	Effluent	WEEKLY	Grab
Oil & Grease	REPORT	N/A	N/A	Effluent	MONTHLY	Grab

Effluent Characteristic (Parameter)	Effluent Concentration Limitations			Monitoring Requirements		
	Maximum Daily Limit	Percent Removal	Average Monthly Limit	Sample Location	Sample Frequency	Sample Type
001E FLOW (MGD) *(reverse osmosis waterfall)*	**0.09**	N/A	**0.09**	Effluent	Continuous	Continuous
Temp (°C)	32	N/A	N/A	Effluent	DAILY	Grab or Cont.
pH	7 to 8.3	N/A	N/A	Effluent	DAILY	Grab or Cont.
Total Dissolved Solids (mg/l)	REPORT	N/A	N/A	Effluent	QUARTERLY	Grab
Salinity (mg/l)	REPORT	N/A	N/A	Effluent	QUARTERLY	Grab
Oil& Grease	Non-Detect	N/A	N/A	Effluent	QUARTERLY	Grab
002 FLOW (MGD) *(stormwater runoff)*	**0.004**	N/A	N/A	Effluent	EPISODIC	EPISODIC
TSS (mg/l)	Report	N/A	N/A	Effluent	EPISODIC	Grab

PARAMETERS	BASIS FOR FINAL LIMITS	AUTHORITY
FLOWS(S)	Form 2C	BPJ based on Form 2C Application
TEMPERATURE	Water Quality Based	BPJ based on 12 V.I. R. & REGS. § 186-3 (b) 3 (2004)
pH	Water Quality Based & BCT	BPJ based on 12 V.I. R. & REGS. § 186-3 (b) 2 (2004)
BOD5	BCT	BPJ based on 40 CFR Part 133.102(a) 1&3, Form 2C Application
TSS	BCT	BPJ based on 40 CFR Part 133.102(a) 1&3, Form 2C Application
FECAL COLIFORM	Water Quality Based	BPJ based on 12 V.I. R. & REGS. § 186-3 (b) 4 (2004)
RESIDUAL CHLORINE	Water Quality Based	BPJ based on 12 V.I. R. & REGS. § 186-3 (b) 6 (2004)
OIL & GREASE	Water Quality Based	BPJ based on 12 V.I. R. & REGS. § 186-3 (b) 8 (2004)
TOTAL DISSOLVED SOLIDS	Form 2C	BPJ based on Form 2C Application
SALINITY	Form 2C	BPJ based on Form 2C Application
TOTAL SUSPENDED SOLIDS	Water Quality Based	BPJ based on 12 V.I. R. & REGS. § 186-3 (b) 7 (2004)

1. **General Water Quality Conditions**

   a. There shall be no discharge of floating debris, oil, scum, or other matter.

   b. There shall be no discharge of substances producing objectionable color, odor, taste or turbidity.

   c. There shall be no discharge of materials including radionuclides, in concentrations or combinations which are toxic or which produce undesirable physiological responses in humans, fish, and other wildlife, and plants.

   d. There shall be no discharge of substances and conditions or combinations thereof in concentrations that produce undesirable aquatic life.

   e. The permittee shall maintain the outfall in such a manner that there is no erosion or other significant effects to the beach or area surrounding the outfall.

c.) Receiving Water Special Standards

None.

Hotel (STT-STJ)
RO-WWTP-Cooling Tower-Stormwater – MAJOR TPDES Permit – RLL DPNR-DEP

STATEMENT OF BASIS: BEST PROFESSIONAL JUDGEMENT (BPJ)

1. The discharge water quality and treatment basis for effluent limitations were derived for brine as well as recycle/reuse/land application irrigation systems, each classified as wastewater and discharge into Class B (BPJ) criteria receiving water with two or more of the following Standard Industry Classification (SIC) Codes(s): 4952 (sewage system); 4941 (water supply); 4971 (irrigation system).

PARAMETERS	BASIS FOR FINAL LIMITS	AUTHORITY
FLOWS(S)	Form 2C	BPJ based on Form 2C Application
TEMPERATURE	Water Quality Based	BPJ based on 12 V.I. R. & REGS. § 186-3 (b) 3 (2004)
pH	Water Quality Based & BCT	BPJ based on 12 V.I. R. & REGS. § 186-3 (b) 2 (2004)
BOD5	BCT	BPJ based on 40 CFR Part 133.102(a) 1&3, Form 2C Application
TSS	BCT	BPJ based on 40 CFR Part 133.102(a) 1&3, Form 2C Application
FECAL COLIFORM	Water Quality Based	BPJ based on 12 V.I. R. & REGS. § 186-3 (b) 4 (2004)
RESIDUAL CHLORINE	Water Quality Based	BPJ based on 12 V.I. R. & REGS. § 186-3 (b) 6 (2004)
OIL & GREASE	Water Quality Based	BPJ based on 12 V.I. R. & REGS. § 186-3 (b) 8 (2004)
TOTAL DISSOLVED SOLIDS	Form 2C	BPJ based on Form 2C Application
SALINITY	Form 2C	BPJ based on Form 2C Application
TOTAL SUSPENDED SOLIDS	Water Quality Based	BPJ based on 12 V.I. R. & REGS. § 186-3 (b) 7 (2004)

2. PUBLIC COMMENT:

Along with DPNR and EPA review, public comment will be accepted on the proposed permit for a period of sixty days (60) days beginning on the date of the first public notice. All comments will be received at the following address:

Attn: Rhonda Liburd, MA.Ed
Environmental Specialist III, TPDES Permit Administrator
Government of the U.S. Virgin Islands
Department of Planning and Natural Resources
Office of the Commissioner
Division of Environmental Protection
Water Pollution Control Program
8100 Lindberg Bay, Ste. 61
Cyril E. King Airport, Terminal Building, 2nd Floor
St. Thomas, VI 00802
(340) 774-3320 Ext. 5188

All written comments submitted during the comment period shall be retained by the Commissioner and/or Permit Administrator and considered in the formulation of the final determination with respect to the application. The period for written comment may be extended at the discretion of the Commissioner. As requested or petition for public hearing pursuant to 12 V.I. R. & REGS. § 184-81 may be made during this public comment period.

3. Additional Information: Details concerning this permit can be obtained from the following: Permit Administrator: (340) 774-3320 ext 5188. For inspection reports, see CEI Inspector: Wayne Donadelle, Environmental Specialist I, (340) 774-3320 ext. 5156.

MAJOR TPDES Permit – RLL DPNR-DEP

STATEMENT OF BASIS: BEST PROFESSIONAL JUDGEMENT (BPJ)

FORM 1 GENERAL — EPA — U.S. ENVIRONMENTAL PROTECTION AGENCY

GENERAL INFORMATION
Consolidated Permits Program
(Read the "General Instructions" before starting.)

I. EPA I.D. NUMBER: VI0039829

LABEL ITEMS
I. EPA I.D. NUMBER
II. FACILITY NAME
III. FACILITY MAILING ADDRESS
IV. FACILITY LOCATION

RECEIVED
MAY 20
Division of Environmental Protection

PLEASE PLACE LABEL IN THIS SPACE

GENERAL INSTRUCTIONS
If a preprinted label has been provided, affix it in the designated space. Review the information carefully; if any of it is incorrect, cross through it and enter the correct data in the appropriate fill-in area below. Also, if any of the preprinted data is absent (the area to the left of the label space lists the information that should appear), please provide it in the proper fill-in area(s) below. If the label is complete and correct, you need not complete Items I, III, V, and VI (except VI-B which must be completed regardless). Complete all items if no label has been provided. Refer to the instructions for detailed item descriptions and for the legal authorization under which this data is collected.

II. POLLUTANT CHARACTERISTICS

INSTRUCTIONS: Complete A through J to determine whether you need to submit any permit application forms to the EPA. If you answer "yes" to any questions, you must submit this form and the supplemental form listed in the parenthesis following the question. Mark "X" in the box in the third column if the supplemental form is attached. If you answer "no" to each question, you need not submit any of those forms. You may answer "no" if your activity is excluded from permit requirements; see Section C of the instructions. See also, Section D of the instructions for definitions of bold-faced terms.

SPECIFIC QUESTIONS	MARK "X" YES	NO	FORM ATTACHED	SPECIFIC QUESTIONS	MARK "X" YES	NO	FORM ATTACHED
A. Is this facility a publicly owned treatment works which results in a discharge to waters of the U.S.? (FORM 2A)	☐	☒	☐	B. Does, or will this facility (either existing or proposed) include a concentrated animal feeding operation or aquatic animal production facility which results in a discharge to waters of the U.S.? (FORM 2B)	☐	☒	☐
C. Is this facility which currently results in discharges to waters of the U.S. other than those described in A or B above? (FORM 2C)	☒	☐	☒	D. Is this proposed facility (other than those described in A or B above) which will result in a discharge to waters of the U.S.? (FORM 2D)	☐	☒	☐
E. Does or will this facility treat, store, or dispose of hazardous wastes? (FORM 3)	☐	☒	☐	F. Do you or will you inject at this facility industrial or municipal effluent below the lowermost stratum containing, within one quarter mile of the well bore, underground sources of drinking water? (FORM 4)	☐	☒	☐
G. Do you or will you inject at this facility any produced water other fluids which are brought to the surface in connection with conventional oil or natural gas production, inject fluids used for enhanced recovery of oil or natural gas, or inject fluids for storage of liquid hydrocarbons? (FORM 4)	☐	☒	☐	H. Do you or will you inject at this facility fluids for special processes such as mining of sulfur by the Frasch process, solution mining of minerals, in situ combustion of fossil fuel, or recovery of geothermal energy? (FORM 4)	☐	☒	☐
I. Is this facility a proposed stationary source which is one of the 28 industrial categories listed in the instructions and which will potentially emit 100 tons per year of any air pollutant regulated under the Clean Air Act and may affect or be located in an attainment area? (FORM 5)	☐	☒	☐	J. Is this facility a proposed stationary source which is NOT one of the 28 industrial categories listed in the instructions and which will potentially emit 250 tons per year of any air pollutant regulated under the Clean Air Act and may affect or be located in an attainment area? (FORM 5)	☐	☒	☐

III. NAME OF FACILITY
BCM/CHI Frenchman's Reef, Inc.

IV. FACILITY CONTACT

A. NAME & TITLE (last, first, & title)	B. PHONE (area code & no.)
Esplnosa, Jose Gonzalez - General Manager	340 776 8500

V. FACILITY MAILING ADDRESS

A. STREET OR P.O. BOX	B. CITY OR TOWN	C. STATE	D. ZIP CODE
Estate Bakkeroe No. 5	St. Thomas	VI	00801

VI. FACILITY LOCATION

A. STREET, ROUTE NO. OR OTHER SPECIFIC IDENTIFIER	B. COUNTY NAME	C. CITY OR TOWN	D. STATE	E. ZIP CODE	F. COUNTY CODE
Estate Bakkeroe No. 5		St Thomas	VI	00801	

EPA FORM 3510-1 (8-90) CONTINUED ON REVERSE

CONTINUED FROM THE FRONT

VII. SIC CODES *(4-digit, in order of priority)*

A. FIRST	B. SECOND
4952 (specify) Sewage Treatment System	70 (specify) Hotel and Other Lodging Places
C. THIRD	**D. FOURTH**
4971 (specify) Irrigation system	4941 (specify) water production

VIII. OPERATOR INFORMATION

A. NAME	B. Is the name listed in Item VIII-A also the owner?
BCM/CHI Frenchman's Reef, Inc.	☒ YES ☐ NO

C. STATUS OF OPERATOR (Enter the appropriate letter into the answer box; if "Other," specify.) F = FEDERAL; S = STATE; P = PRIVATE; M = PUBLIC (other than federal or state); O = OTHER (specify) — P

D. PHONE (area code & no.) — C A — 340 776 8500

E. STREET OR PO BOX: Estate Bakkeroe, No. 5

F. CITY OR TOWN: St. Thomas — G. STATE: VI — H. ZIP CODE: 00801

IX. INDIAN LAND — Is the facility located on Indian lands? ☐ YES ☒ NO

X. EXISTING ENVIRONMENTAL PERMITS

A. NPDES (Discharges to Surface Water)	D. PSD (Air Emissions from Proposed Sources)
VI0039829	STT 1012-0.4, A,B &C
B. UIC (Underground Injection of Fluids)	**E. OTHER (specify)**
N/A	CZT -12-90 (Specify) Coastal Zoning Management
C. RCRA (Hazardous Wastes)	**E. OTHER (specify)**
N/A	(Specify)

XI. MAP
Attach to this application a topographic map of the area extending to at least one mile beyond property boundaries. The map must show the outline of the facility, the location of each of its existing and proposed intake and discharge structures, each of its hazardous waste treatment, storage, or disposal facilities, and each well where it injects fluids underground. Include all springs, rivers and other surface water bodies in the map area. See instructions for precise requirements.

XII. NATURE OF BUSINESS *(provide a brief description)*
Resort Hotel - Frenchman's Reef Hotel/Morningstar has 478 guest rooms with a maximum occupancy of 956 persons.
Frenchman's Cove Resort has 221units with a maximum occupancy of 873.

2 Generators located in TE plant ground level
2 Boilers located in Plant Ground level
6 Restaurants (Windows, Captain's Café, Sunset Grill, Coco Joe's, Havana Blue, Frenchman's Cove Sunset Grill)
10 Grease Traps (3 in level 3 main kitchen, 1 in Sunset kitchen level, 3 In Coco Joe's ,2 In Havana Blue, 1 at Frenchman's Cove Sunset Grill)
2 laundry facilities (1 in Ocean Tower building ground level and 1 in Morning Star)
A Reverse Osmosis water plant is operated to supplement the public water supply. The plant is sized to produce 60,000 gpd of potable water. The plant will take water from the seawater chiller discharge line (150,000 gpd) and discharge into the existing outfall pit (90,000 gpd).
Chillers will be used for cooling at the Frenchman's Reef Hotel

XIII. CERTIFICATION *(see instructions)*
I certify under penalty of law that I have personally examined and am familiar with the information submitted in this application and all attachments and that, based on my inquiry of those persons immediately responsible for obtaining the information contained in the application, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

A. NAME & OFFICIAL TITLE (type or print)	B. SIGNATURE	C. DATE SIGNED
Jose Gonzalez Esplnosa General Manager		07/05/11

COMMENTS FOR OFFICIAL USE ONLY

EPA FORM 3510-1 (8-90)

STATEMENT OF BASIS: BEST PROFESSIONAL JUDGEMENT (BPJ)

2. EPA FORM 2C (PAGE 1 OF 4)

EPA I.D. NUMBER (copy from Item 1 of Form 1): VI0039829

Form Approved. OMB No. 2040-0086. Approval expires 3-31-98.

Please print or type in the unshaded areas only.

FORM 2C NPDES — EPA

U.S. ENVIRONMENTAL PROTECTION AGENCY
APPLICATION FOR PERMIT TO DISCHARGE WASTEWATER
EXISTING MANUFACTURING, COMMERCIAL, MINING AND SILVICULTURE OPERATIONS
Consolidated Permits Program

I. OUTFALL LOCATION

For each outfall, list the latitude and longitude of its location to the nearest 15 seconds and the name of the receiving water.

A. OUTFALL NUMBER (list)	B. LATITUDE 1. DEG.	2. MIN.	3. SEC.	C. LONGITUDE 1. DEG.	2. MIN.	3. SEC.	D. RECEIVING WATER (name)
001A	18.00	19.00	30.00	64.00	55.00	37.00	Morning Star Bay
001B	18.00	19.00	30.00	64.00	55.00	37.00	Irrigation System (001C and 001D)
001C	18.00	19.00	31.00	64.00	55.00	37.00	Irrigation System - Frenchman's Reef
001D	18.00	19.00	31.00	64.00	55.00	38.00	Irrigation System - Frenchman's Cove
001E	18.00	19.00	31.00	64.00	55.00	37.00	Morning Star Bay

II. FLOWS, SOURCES OF POLLUTION, AND TREATMENT TECHNOLOGIES

A. Attach a line drawing showing the water flow through the facility. Indicate sources of intake water, operations contributing wastewater to the effluent, and treatment units labeled to correspond to the more detailed descriptions in Item B. Construct a water balance on the line drawing by showing average flows between intakes, operations, treatment units, and outfalls. If a water balance cannot be determined (e.g., for certain mining activities), provide a pictorial description of the nature and amount of any sources of water and any collection or treatment measures.

B. For each outfall, provide a description of: (1) All operations contributing wastewater to the effluent, including process wastewater, sanitary wastewater, cooling water, and storm water runoff; (2) The average flow contributed by each operation; and (3) The treatment received by the wastewater. Continue on additional sheets if necessary.

1. OUTFALL NO. (list)	2. OPERATION(S) CONTRIBUTING FLOW a. OPERATION (list)	b. AVERAGE FLOW (include units)	3. TREATMENT a. DESCRIPTION	b. LIST CODES FROM TABLE 2C-1	
001A	Equipment Cooling Water - Noncontact	5.472 MGD	Mixing	1	O
			Ocean discharge through water fall/waterway	4	B
001B	Sanitary Waste Water	0.12 MGD	Activated SludgeWaste Water Treatment Plant	3	A
			Microstraining	1	M
			Disinfection (Chlorine)	2	F
			Spray Irrigation/Land Application	4	C
001C	Sanitary Wastewater	0.075 MGD	Activated SludgeWaste Water Treatment Plant	3	A
			Microstraining	1	M
			Disinfection (chlorine)	2	F
			Spray Irrigation/Land Application	4	C
001D	Sanitary Wastewater	0.045 MGD	Activated SludgeWaste Water Treatment Plant	3	A
			Microstraining	1	M
			Disinfection (chlorine)	2	F
			Spray Irrigation/Land Application	4	C
001E	Reverse Osmosis	0.09 MGD	Reverse Osmosis (Hyperfiltration)	3	E
			Ocean Discharge through Outfall	4	B
002	Storm Water Runoff	0.004 MGD	Grit Removal	1	H
			Sedimentation	1	S
			Oil/Water Separator	X	X
			Ocean Discharge through Outfall	4	B

OFFICIAL USE ONLY (effluent guideline sub-categories)

EPA Form 3510-2C (8-90) PAGE 1 of 4 CONTINUE ON REVERSE

EPA I.D. NUMBER (copy from Item 1 of Form 1): VI0039629

Form Approved. OMB No. 2040-0086. Approval expires 3-31-98.

Please print or type in the unshaded areas only.

FORM 2C NPDES — EPA

U.S. ENVIRONMENTAL PROTECTION AGENCY
APPLICATION FOR PERMIT TO DISCHARGE WASTEWATER
EXISTING MANUFACTURING, COMMERCIAL, MINING AND SILVICULTURE OPERATIONS
Consolidated Permits Program

I. OUTFALL LOCATION

For each outfall, list the latitude and longitude of its location to the nearest 15 seconds and the name of the receiving water.

A. OUTFALL NUMBER (list)	B. LATITUDE 1. DEG.	2. MIN.	3. SEC.	C. LONGITUDE 1. DEG.	2. MIN.	3. SEC.	D. RECEIVING WATER (name)
002	18.00	19.00	33.00	64.00	55.00	37.00	Pacquereau Bay

II. FLOWS, SOURCES OF POLLUTION, AND TREATMENT TECHNOLOGIES

A. Attach a line drawing showing the water flow through the facility. Indicate sources of intake water, operations contributing wastewater to the effluent, and treatment units labeled to correspond to the more detailed descriptions in Item B. Construct a water balance on the line drawing by showing average flows between intakes, operations, treatment units, and outfalls. If a water balance cannot be determined (e.g., for certain mining activities), provide a pictorial description of the nature and amount of any sources of water and any collection or treatment measures.

B. For each outfall, provide a description of: (1) All operations contributing wastewater to the effluent, including process wastewater, sanitary wastewater, cooling water, and storm water runoff; (2) The average flow contributed by each operation; and (3) The treatment received by the wastewater. Continue on additional sheets if necessary.

1. OUTFALL NO. (list)	2. OPERATION(S) CONTRIBUTING FLOW a. OPERATION (list)	b. AVERAGE FLOW (include units)	3. TREATMENT a. DESCRIPTION	b. LIST CODES FROM TABLE 2C-1	
001A	Equipment Cooling Water - Noncontact	5.472 MGD	Mixing	1	O
			Ocean discharge through water fall/waterway	4	B
001B	Sanitary Waste Water	0.12 MGD	Activated SludgeWaste Water Treatment Plant	3	A
			Microstraining	1	M
			Disinfection (chlorine)	2	F
			Spray Irrigation/Land Application	4	C
001C	Sanitary Wastewater	0.05 MGD	Activated SludgeWaste Water Treatment Plant	3	A
			Microstraining	1	M
			Disinfection (chlorine)	2	F
			Spray Irrigation/Land Application	4	C
001D	Sanitary Wastewater	0.05 MGD	Activated SludgeWaste Water Treatment Plant	3	A
			Microstraining	1	M
			Disinfection (chlorine)	2	F
			Spray Irrigation/Land Application	4	C
001E	Reverse Osmosis	0.05 MGD	Reverse Osmosis (Hyperfiltration)	1	E
			Ocean Discharge through Outfall	4	B
002	Storm Water Runoff	0.004 MGD	Grit Removal	1	H
			Sedimentation	1	S
			Oil/Water Separator	X	X
			Ocean Discharge through Outfall	4	B

OFFICIAL USE ONLY (effluent guideline sub-categories)

EPA Form 3510-2C (8-90) PAGE 1 of 4 CONTINUE ON REVERSE

STATEMENT OF BASIS: BEST PROFESSIONAL JUDGEMENT (BPJ)

3. EPA FORM 2C (TEST RESULTS)

PLEASE PRINT OR TYPE IN THE UNSHADED AREAS ONLY. You may report some or all of this information on separate sheets (use the same format) instead of completing these pages. SEE INSTRUCTIONS.

EPA I.D. NUMBER (copy from Item 1 of Form 1): VI0039829

V. INTAKE AND EFFLUENT CHARACTERISTICS (continued from page 3 of Form 2-C) [redacted] OUTFALL NO. 001A

PART A – You must provide the results of at least one analysis for every pollutant in this table. Complete one table for each outfall. See instructions for additional details.

1. POLLUTANT	2. EFFLUENT a. MAXIMUM DAILY VALUE (1) CONCENTRATION	a. MAXIMUM DAILY VALUE (2) MASS	b. MAXIMUM 30 DAY VALUE (if available) (1) CONCENTRATION	b. MAXIMUM 30 DAY VALUE (if available) (2) MASS	c. LONG TERM AVRG. VALUE (if available) (1) CONCENTRATION	c. LONG TERM AVRG. VALUE (if available) (2) MASS	d. NO. OF ANALYSES	3. UNITS (specify if blank) a. CONCENTRATION	3. UNITS b. MASS	4. INTAKE (optional) a. LONG TERM AVERAGE VALUE (1) CONCENTRATION	4. INTAKE (optional) a. LONG TERM AVERAGE VALUE (2) MASS	4. INTAKE (optional) b. NO. OF ANALYSES
a. Biochemical Oxygen Demand (BOD)	M/A											
b. Chemical Oxygen Demand (COD)	M/A											
c. Total Organic Carbon (TOC)	M/A											
d. Total Suspended Solids (TSS)	M/A											
e. Ammonia (as N)	M/A											
f. Flow	VALUE 5.472	MGD	VALUE 5.472	MGD	VALUE 0.62		12			VALUE		
g. Temperature (winter)	VALUE 32.2		VALUE 32.2		VALUE 30.08		6	°C		VALUE		
h. Temperature (summer)	VALUE 32.1		VALUE 32.1		VALUE 32.06		5	°C		VALUE		
i. pH	MINIMUM 7.7	MAXIMUM 8.1	MINIMUM 7.9	MAXIMUM 8.1	[redacted]		14	STANDARD UNITS		[redacted]		

PART B – Mark "X" in column 2-a for each pollutant you know or have reason to believe is present. Mark "X" in column 2-b for each pollutant you believe to be absent. If you mark column 2a for any pollutant which is limited either directly, or indirectly but expressly, in an effluent limitations guideline, you must provide the results of at least one analysis for that pollutant. For other pollutants for which you mark column 2a, you must provide quantitative data or an explanation of their presence in your discharge. Complete one table for each outfall. See the instructions for additional details and requirements.

1. POLLUTANT AND CAS NO. (if available)	2. MARK "X" a. BELIEVED PRESENT	2. MARK "X" b. BELIEVED ABSENT	3. EFFLUENT a. MAXIMUM DAILY VALUE (1) CONCENTRATION	a. MAXIMUM DAILY VALUE (2) MASS	b. MAXIMUM 30 DAY VALUE (if available) (1) CONCENTRATION	b. MAXIMUM 30 DAY VALUE (if available) (2) MASS	c. LONG TERM AVRG. VALUE (if available) (1) CONCENTRATION	c. LONG TERM AVRG. VALUE (if available) (2) MASS	d. NO. OF ANALYSES	4. UNITS a. CONCENTRATION	4. UNITS b. MASS	5. INTAKE (optional) a. LONG TERM AVERAGE VALUE (1) CONCENTRATION	5. INTAKE (optional) a. LONG TERM AVERAGE VALUE (2) MASS	5. INTAKE (optional) b. NO. OF ANALYSES
a. Bromide (24959-67-9)		X												
b. Chlorine, Total Residual		X												
c. Color		X												
d. Fecal Coliform		X												
e. Fluoride (16984-48-8)		X												
f. Nitrate-Nitrite (as N)		X												

EPA Form 3510-2C (8-90) PAGE V-1 CONTINUE ON REVERSE

STATEMENT OF BASIS: BEST PROFESSIONAL JUDGEMENT (BPJ)

3. EPA FORM 2C (TEST RESULTS)

PLEASE PRINT OR TYPE IN THE UNSHADED AREAS ONLY. You may report some or all of this information on separate sheets (use the same format) instead of completing these pages. SEE INSTRUCTIONS.

EPA I.D. NUMBER (copy from Item 1 of Form 1): VI0039829

V. INTAKE AND EFFLUENT CHARACTERISTICS (continued from page 3 of Form 2-C) [redacted] OUTFALL NO. 001B

PART A –You must provide the results of at least one analysis for every pollutant in this table. Complete one table for each outfall. See instructions for additional details.

1. POLLUTANT	2. EFFLUENT a. MAXIMUM DAILY VALUE (1) CONCENTRATION	(2) MASS	b. MAXIMUM 30 DAY VALUE (if available) (1) CONCENTRATION	(2) MASS	c. LONG TERM AVRG. VALUE (if available) (1) CONCENTRATION	(2) MASS	d. NO. OF ANALYSES	3. UNITS (specify if blank) a. CONCENTRATION	b. MASS	4. INTAKE (optional) a. LONG TERM AVERAGE VALUE (1) CONCENTRATION	(2) MASS	b. NO. OF ANALYSES
a. Biochemical Oxygen Demand (BOD)	19	n/a	19	n/a	13.3	n/a	8	mg/l		534		8
b. Chemical Oxygen Demand (COD)	M/A											
c. Total Organic Carbon (TOC)	M/A											
d. Total Suspended Solids (TSS)	7.3		7.3		1.13		8	mg/l		379.88		8
e. Ammonia (as N)	M/A											
f. Flow	VALUE 0.20MGD		VALUE 0.16MGD		VALUE 0.17MGD		8			VALUE		
g. Temperature (winter)	VALUE 31		VALUE 31		VALUE 29		8	°C		VALUE		
h. Temperature (summer)	VALUE 32		VALUE 32		VALUE 30		8	°C		VALUE		
i. pH	MINIMUM 7.0	MAXIMUM 7.6	MINIMUM 7.0	MAXIMUM 7.6	[redacted]		8	STANDARD UNITS		[redacted]		

PART B – Mark "X" in column 2-a for each pollutant you know or have reason to believe is present. Mark "X" in column 2-b for each pollutant you believe to be absent. If you mark column 2a for any pollutant which is limited either directly, or indirectly but expressly, in an effluent limitations guideline, you must provide the results of at least one analysis for that pollutant. For other pollutants for which you mark column 2a, you must provide quantitative data or an explanation of their presence in your discharge. Complete one table for each outfall. See the instructions for additional details and requirements.

1. POLLUTANT AND CAS NO. (if available)	2. MARK "X" a. BELIEVED PRESENT	b. BELIEVED ABSENT	3. EFFLUENT a. MAXIMUM DAILY VALUE (1) CONCENTRATION	(2) MASS	b. MAXIMUM 30 DAY VALUE (if available) (1) CONCENTRATION	(2) MASS	c. LONG TERM AVRG. VALUE (if available) (1) CONCENTRATION	(2) MASS	d. NO. OF ANALYSES	4. UNITS a. CONCENTRATION	b. MASS	5. INTAKE (optional) a. LONG TERM AVERAGE VALUE (1) CONCENTRATION	(2) MASS	b. NO. OF ANALYSES
a. Bromide (24959-67-9)		X												
b. Chlorine, Total Residual	X		3.0		3.0		0.77		6	mg/l				
c. Color		X												
d. Fecal Coliform	X		8		8		1.9		8	#/100ml				
e. Fluoride (16984-48-8)		X												
f. Nitrate-Nitrite (as N)		X												

EPA Form 3510-2C (8-90) PAGE V-1 CONTINUE ON REVERSE

PAGE V-B CONTINUED FROM FRONT

1. POLLUTANT AND CAS NO. (if available)	2. MARK "X" a. BELIEVED PRESENT	b. BELIEVED ABSENT	3. EFFLUENT a. MAXIMUM DAILY VALUE (1) CONCENTRATION	(2) MASS	b. MAXIMUM 30 DAY VALUE (if available) (1) CONCENTRATION	(2) MASS	c. LONG TERM AVRG. VALUE (if available) (1) CONCENTRATION	(2) MASS	d. NO. OF ANALYSES	4. UNITS a. CONCENTRATION	b. MASS	5. INTAKE (optional) a. LONG TERM AVERAGE VALUE (1) CONCENTRATION	(2) MASS	b. NO. OF ANALYSES
g. Nitrogen, Total Organic (as N)		X												
h. Oil and Grease	X		8.7		8.7		3.7		8	mg/l				
i. Phosphorus (as P), Total (7723-14-0)		X												
j. Radioactivity														
(1) Alpha, Total		X												
(2) Beta, Total		X												
(3) Radium, Total		X												
(4) Radium 226, Total		X												
k. Sulfate (as SO4) (14808-79-8)		X												
l. Sulfide (as S)		X												
m. Sulfite (as SO3) (14265-45-3)		X												
n. Surfactants		X												
o. Aluminum, Total (7429-90-5)		X												
p. Barium, Total (7440-39-3)		X												
q. Boron, Total (7440-42-8)		X												
r. Cobalt, Total (7440-48-4)		X												
s. Iron, Total (7439-89-6)		X												
t. Magnesium, Total (7439-95-4)		X												
u. Molybdenum, Total (7439-98-7)		X												
v. Manganese, Total (7439-96-5)		X												
w. Tin, Total (7440-31-5)		X												
x. Titanium, Total (7440-32-6)		X												

EPA Form 3510-2C (8-90) PAGE V-2 CONTINUE ON PAGE V-3

STATEMENT OF BASIS: BEST PROFESSIONAL JUDGEMENT (BPJ)

3. EPA FORM 2C (TEST RESULTS)

PLEASE PRINT OR TYPE IN THE UNSHADED AREAS ONLY. You may report some or all of this information on separate sheets (use the same format) instead of completing these pages. SEE INSTRUCTIONS.

EPA I.D. NUMBER (copy from Item 1 of Form 1): VI0039829

V. INTAKE AND EFFLUENT CHARACTERISTICS (continued from page 3 of Form 2-C) — [redacted] — OUTFALL NO. 001e

PART A –You must provide the results of at least one analysis for every pollutant in this table. Complete one table for each outfall. See instructions for additional details.

1. POLLUTANT	2. EFFLUENT a. MAXIMUM DAILY VALUE (1) CONCENTRATION	a. MAXIMUM DAILY VALUE (2) MASS	b. MAXIMUM 30 DAY VALUE (if available) (1) CONCENTRATION	b. MAXIMUM 30 DAY VALUE (if available) (2) MASS	c. LONG TERM AVRG. VALUE (if available) (1) CONCENTRATION	c. LONG TERM AVRG. VALUE (if available) (2) MASS	d. NO. OF ANALYSES	3. UNITS (specify if blank) a. CONCENTRATION	3. UNITS b. MASS	4. INTAKE (optional) a. LONG TERM AVERAGE VALUE (1) CONCENTRATION	4. INTAKE (optional) a. LONG TERM AVERAGE VALUE (2) MASS	4. INTAKE (optional) b. NO. OF ANALYSES
a. Biochemical Oxygen Demand (BOD)	19	n/a	19	n/a	13.3	n/a	8	mg/l		534		8
b. Chemical Oxygen Demand (COD)	N/A											
c. Total Organic Carbon (TOC)	N/A											
d. Total Suspended Solids (TSS)	7.3		7.3		1.13		8	mg/l		379.86		8
e. Ammonia (as N)	N/A											
f. Flow	VALUE 0.11MGD		VALUE 0.081MGD		VALUE 0.078MGD		120			VALUE		
g. Temperature (winter)	VALUE 31		VALUE 31		VALUE 29		8	°C		VALUE		
h. Temperature (summer)	VALUE 32		VALUE 32		VALUE 30		8	°C		VALUE		
i. pH	MINIMUM 7.0	MAXIMUM 7.6	MINIMUM 7.0	MAXIMUM 7.6	[redacted]		8	STANDARD UNITS		[redacted]		

PART B – Mark "X" in column 2-a for each pollutant you know or have reason to believe is present. Mark "X" in column 2-b for each pollutant you believe to be absent. If you mark column 2a for any pollutant which is limited either directly, or indirectly but expressly, in an effluent limitations guideline, you must provide the results of at least one analysis for that pollutant. For other pollutants for which you mark column 2a, you must provide quantitative data or an explanation of their presence in your discharge. Complete one table for each outfall. See the instructions for additional details and requirements.

1. POLLUTANT AND CAS NO. (if available)	2. MARK "X" a. BELIEVED PRESENT	2. MARK "X" b. BELIEVED ABSENT	3. EFFLUENT a. MAXIMUM DAILY VALUE (1) CONCENTRATION	a. MAXIMUM DAILY VALUE (2) MASS	b. MAXIMUM 30 DAY VALUE (if available) (1) CONCENTRATION	b. MAXIMUM 30 DAY VALUE (if available) (2) MASS	c. LONG TERM AVRG. VALUE (if available) (1) CONCENTRATION	c. LONG TERM AVRG. VALUE (if available) (2) MASS	d. NO. OF ANALYSES	4. UNITS a. CONCENTRATION	4. UNITS b. MASS	5. INTAKE (optional) a. LONG TERM AVERAGE VALUE (1) CONCENTRATION	5. INTAKE (optional) a. LONG TERM AVERAGE VALUE (2) MASS	5. INTAKE (optional) b. NO. OF ANALYSES
a. Bromide (24959-67-9)		X												
b. Chlorine, Total Residual	X		3.0		3.0		0.77		6	mg/l				
c. Color		X												
d. Fecal Coliform	X		8		8		1.9		8	#/100ml				
e. Fluoride (16984-48-8)		X												
f. Nitrate-Nitrite (as N)		X												

EPA Form 3510-2C (8-90) PAGE V-1 CONTINUE ON REVERSE

[redacted]

ITEM V-B CONTINUED FROM FRONT

1. POLLUTANT AND CAS NO. (if available)	2. MARK "X" a. BELIEVED PRESENT	2. MARK "X" b. BELIEVED ABSENT	3. EFFLUENT a. MAXIMUM DAILY VALUE (1) CONCENTRATION	a. MAXIMUM DAILY VALUE (2) MASS	b. MAXIMUM 30 DAY VALUE (if available) (1) CONCENTRATION	b. MAXIMUM 30 DAY VALUE (if available) (2) MASS	c. LONG TERM AVRG. VALUE (if available) (1) CONCENTRATION	c. LONG TERM AVRG. VALUE (if available) (2) MASS	d. NO. OF ANALYSES	4. UNITS a. CONCENTRATION	4. UNITS b. MASS	5. INTAKE (optional) a. LONG TERM AVERAGE VALUE (1) CONCENTRATION	5. INTAKE (optional) a. LONG TERM AVERAGE VALUE (2) MASS	5. INTAKE (optional) b. NO. OF ANALYSES
g. Nitrogen, Total Organic (as N)		X												
h. Oil and Grease	X		8.7		8.7		3.7		6	mg/l				
i. Phosphorus (as P), Total (7723-14-0)		X												
j. Radioactivity														
(1) Alpha, Total		X												
(2) Beta, Total		X												
(3) Radium, Total		X												
(4) Radium 226, Total		X												
k. Sulfate (as SO4) (14808-79-8)		X												
l. Sulfide (as S)		X												
m. Sulfite (as SO3) (14265-45-3)		X												
n. Surfactants		X												
o. Aluminum, Total (7429-90-5)		X												
p. Barium, Total (7440-39-3)		X												
q. Boron, Total (7440-42-8)		X												
r. Cobalt, Total (7440-48-4)		X												
s. Iron, Total (7439-89-6)		X												
t. Magnesium, Total (7439-95-4)		X												
u. Molybdenum, Total (7439-98-7)		X												
v. Manganese, Total (7439-96-5)		X												
w. Tin, Total (7440-31-5)		X												
x. Titanium, Total (7440-32-6)		X												

EPA Form 3510-2C (8-90) PAGE V-2 CONTINUE ON PAGE V-3

STATEMENT OF BASIS: BEST PROFESSIONAL JUDGEMENT (BPJ)

PLEASE PRINT OR TYPE IN THE UNSHADED AREAS ONLY. You may report some or all of this information on separate sheets (use the same format) instead of completing these pages. SEE INSTRUCTIONS.

EPA I.D. NUMBER (copy from Item 1 of Form 1): VI0039829

V. INTAKE AND EFFLUENT CHARACTERISTICS (continued from page 3 of Form 2-C) — [redacted] — OUTFALL NO. 001D

PART A—You must provide the results of at least one analysis for every pollutant in this table. Complete one table for each outfall. See instructions for additional details.

1. POLLUTANT	2. EFFLUENT a. MAXIMUM DAILY VALUE (1) CONCENTRATION	a. MAXIMUM DAILY VALUE (2) MASS	b. MAXIMUM 30 DAY VALUE (if available) (1) CONCENTRATION	b. MAXIMUM 30 DAY VALUE (if available) (2) MASS	c. LONG TERM AVRG. VALUE (if available) (1) CONCENTRATION	c. LONG TERM AVRG. VALUE (if available) (2) MASS	d. NO. OF ANALYSES	3. UNITS (specify if blank) a. CONCENTRATION	3. UNITS b. MASS	4. INTAKE (optional) a. LONG TERM AVERAGE VALUE (1) CONCENTRATION	4. INTAKE (optional) a. LONG TERM AVERAGE VALUE (2) MASS	4. INTAKE (optional) b. NO. OF ANALYSES
a. Biochemical Oxygen Demand (BOD)	19	n/a	19	n/a	13.3	n/a	8	mg/l		534		8
b. Chemical Oxygen Demand (COD)	N/A											
c. Total Organic Carbon (TOC)	N/A											
d. Total Suspended Solids (TSS)	7.3		7.3		1.13		8	mg/l		379.88		8
e. Ammonia (as N)	N/A											
f. Flow	VALUE 0.097MGD		VALUE 0.037MGD		VALUE 0.016MGD		96			VALUE		
g. Temperature (winter)	VALUE 31		VALUE 31		VALUE 29		8	°C		VALUE		
h. Temperature (summer)	VALUE 32		VALUE 32		VALUE 30		8	°C		VALUE		
i. pH	MINIMUM 7.0	MAXIMUM 7.6	MINIMUM 7.0	MAXIMUM 7.6	[redacted]		8	STANDARD UNITS		[redacted]		

PART B – Mark "X" in column 2-a for each pollutant you know or have reason to believe is present. Mark "X" in column 2-b for each pollutant you believe to be absent. If you mark column 2a for any pollutant which is limited either directly, or indirectly but expressly, in an effluent limitations guideline, you must provide the results of at least one analysis for that pollutant. For other pollutants for which you mark column 2a, you must provide quantitative data or an explanation of their presence in your discharge. Complete one table for each outfall. See the instructions for additional details and requirements.

1. POLLUTANT AND CAS NO. (if available)	2. MARK "X" a. BELIEVED PRESENT	2. MARK "X" b. BELIEVED ABSENT	3. EFFLUENT a. MAXIMUM DAILY VALUE (1) CONCENTRATION	a. MAXIMUM DAILY VALUE (2) MASS	b. MAXIMUM 30 DAY VALUE (if available) (1) CONCENTRATION	b. MAXIMUM 30 DAY VALUE (if available) (2) MASS	c. LONG TERM AVRG. VALUE (if available) (1) CONCENTRATION	c. LONG TERM AVRG. VALUE (if available) (2) MASS	d. NO. OF ANALYSES	4. UNITS a. CONCENTRATION	4. UNITS b. MASS	5. INTAKE (optional) a. LONG TERM AVERAGE VALUE (1) CONCENTRATION	5. INTAKE (optional) a. LONG TERM AVERAGE VALUE (2) MASS	5. INTAKE (optional) b. NO. OF ANALYSES
a. Bromide (24959-67-9)		X												
b. Chlorine, Total Residual	X		3.0		3.0		0.77		6	mg/l				
c. Color		X												
d. Fecal Coliform	X		8		8		1.9		8	#/100ml				
e. Fluoride (16984-48-8)		X												
f. Nitrate-Nitrite (as N)		X												

EPA Form 3510-2C (8-90) PAGE V-1 CONTINUE ON REVERSE

ITEM V-B CONTINUED FROM FRONT

1. POLLUTANT AND CAS NO. (if available)	2. MARK "X" a. BELIEVED PRESENT	2. MARK "X" b. BELIEVED ABSENT	3. EFFLUENT a. MAXIMUM DAILY VALUE (1) CONCENTRATION	a. MAXIMUM DAILY VALUE (2) MASS	b. MAXIMUM 30 DAY VALUE (if available) (1) CONCENTRATION	b. MAXIMUM 30 DAY VALUE (if available) (2) MASS	c. LONG TERM AVRG. VALUE (if available) (1) CONCENTRATION	c. LONG TERM AVRG. VALUE (if available) (2) MASS	d. NO. OF ANALYSES	4. UNITS a. CONCENTRATION	4. UNITS b. MASS	5. INTAKE (optional) a. LONG TERM AVERAGE VALUE (1) CONCENTRATION	5. INTAKE (optional) a. LONG TERM AVERAGE VALUE (2) MASS	5. INTAKE (optional) b. NO. OF ANALYSES
g. Nitrogen, Total Organic (as N)		X												
h. Oil and Grease	X		8.7		8.7		3.7		8	mg/l				
i. Phosphorus (as P), Total (7723-14-0)		X												
j. Radioactivity														
(1) Alpha, Total		X												
(2) Beta, Total		X												
(3) Radium, Total		X												
(4) Radium 226, Total		X												
k. Sulfate (as SO4) (14808-79-8)		X												
l. Sulfide (as S)		X												
m. Sulfite (as SO3) (14265-45-3)		X												
n. Surfactants		X												
o. Aluminum, Total (7429-90-5)		X												
p. Barium, Total (7440-39-3)		X												
q. Boron, Total (7440-42-8)		X												
r. Cobalt, Total (7440-48-4)		X												
s. Iron, Total (7439-89-6)		X												
t. Magnesium, Total (7439-95-4)		X												
u. Molybdenum, Total (7439-98-7)		X												
v. Manganese, Total (7439-96-5)		X												
w. Tin, Total (7440-31-5)		X												
x. Titanium, Total (7440-32-6)		X												

EPA Form 3510-2C (8-90) PAGE V-2 CONTINUE ON PAGE V-3

STATEMENT OF BASIS: BEST PROFESSIONAL JUDGEMENT (BPJ)

3. EPA FORM 2C (TEST RESULTS)

PLEASE PRINT OR TYPE IN THE UNSHADED AREAS ONLY. You may report some or all of this information on separate sheets (use the same format) instead of completing these pages. SEE INSTRUCTIONS.

EPA I.D. NUMBER (copy from Item 1 of Form 1): VI0039829

V. INTAKE AND EFFLUENT CHARACTERISTICS (continued from page 3 of Form 2-C) — [redacted] — OUTFALL NO. 001

PART A –You must provide the results of at least one analysis for every pollutant in this table. Complete one table for each outfall. See instructions for additional details.

1. POLLUTANT	2. EFFLUENT a. MAXIMUM DAILY VALUE (1) CONCENTRATION	(2) MASS	b. MAXIMUM 30 DAY VALUE (if available) (1) CONCENTRATION	(2) MASS	c. LONG TERM AVRG. VALUE (if available) (1) CONCENTRATION	(2) MASS	d. NO. OF ANALYSES	3. UNITS (specify if blank) a. CONCENTRATION	b. MASS	4. INTAKE (optional) a. LONG TERM AVERAGE VALUE (1) CONCENTRATION	(2) MASS	b. NO. OF ANALYSES
a. Biochemical Oxygen Demand (BOD)	N/A											
b. Chemical Oxygen Demand (COD)	N/A											
c. Total Organic Carbon (TOC)	N/A											
d. Total Suspended Solids (TSS)	7.3							mg/l				
e. Ammonia (as N)	N/A											
f. Flow	VALUE 0.09MGD		VALUE 0.09MGD		VALUE 0		180			VALUE		
g. Temperature (winter)	VALUE 31		VALUE 31		VALUE 29		0	°C		VALUE		
h. Temperature (summer)	VALUE 32		VALUE 32		VALUE 30		0	°C		VALUE		
i. pH	MINIMUM 7.0	MAXIMUM 7.6	MINIMUM 7.0	MAXIMUM 7.6	[redacted]		0	STANDARD UNITS		[redacted]		

PART B – Mark "X" in column 2-a for each pollutant you know or have reason to believe is present. Mark "X" in column 2-b for each pollutant you believe to be absent. If you mark column 2a for any pollutant which is limited either directly, or indirectly but expressly, in an effluent limitations guideline, you must provide the results of at least one analysis for that pollutant. For other pollutants for which you mark column 2a, you must provide quantitative data or an explanation of their presence in your discharge. Complete one table for each outfall. See the instructions for additional details and requirements.

1. POLLUTANT AND CAS NO. (if available)	2. MARK "X" a. BELIEVED PRESENT	b. BELIEVED ABSENT	3. EFFLUENT a. MAXIMUM DAILY VALUE (1) CONCENTRATION	(2) MASS	b. MAXIMUM 30 DAY VALUE (if available) (1) CONCENTRATION	(2) MASS	c. LONG TERM AVRG. VALUE (if available) (1) CONCENTRATION	(2) MASS	d. NO. OF ANALYSES	4. UNITS a. CONCENTRATION	b. MASS	5. INTAKE (optional) a. LONG TERM AVERAGE VALUE (1) CONCENTRATION	(2) MASS	b. NO. OF ANALYSES
a. Bromide (24959-67-9)		X												
b. Chlorine, Total Residual		X												
c. Color		X												
d. Fecal Coliform		X												
e. Fluoride (16984-48-8)		X												
f. Nitrate-Nitrite (as N)		X												

EPA Form 3510-2C (8-90) PAGE V-1 CONTINUE ON REVERSE

PLEASE PRINT OR TYPE IN THE UNSHADED AREAS ONLY. You may report some or all of this information on separate sheets (use the same format) instead of completing these pages. SEE INSTRUCTIONS.

EPA I.D. NUMBER (copy from Item 1 of Form 1): VI0039829

V. INTAKE AND EFFLUENT CHARACTERISTICS (continued from page 3 of Form 2-C) — [redacted] — OUTFALL NO. 002

PART A –You must provide the results of at least one analysis for every pollutant in this table. Complete one table for each outfall. See instructions for additional details.

1. POLLUTANT	2. EFFLUENT a. MAXIMUM DAILY VALUE (1) CONCENTRATION	(2) MASS	b. MAXIMUM 30 DAY VALUE (if available) (1) CONCENTRATION	(2) MASS	c. LONG TERM AVRG. VALUE (if available) (1) CONCENTRATION	(2) MASS	d. NO. OF ANALYSES	3. UNITS (specify if blank) a. CONCENTRATION	b. MASS	4. INTAKE (optional) a. LONG TERM AVERAGE VALUE (1) CONCENTRATION	(2) MASS	b. NO. OF ANALYSES
a. Biochemical Oxygen Demand (BOD)	N/A	N/A	N/A	N/A	N/A	N/A						
b. Chemical Oxygen Demand (COD)	N/A											
c. Total Organic Carbon (TOC)	N/A											
d. Total Suspended Solids (TSS)	237.1		237.1		123.75		2	mg/l				
e. Ammonia (as N)	N/A											
f. Flow	VALUE 0.004MGD		VALUE 0.004MGD		VALUE N/A		8			VALUE		
g. Temperature (winter)	VALUE N/A		VALUE N/A		VALUE N/A		8	°C		VALUE		
h. Temperature (summer)	VALUE N/A		VALUE N/A		VALUE N/A		8	°C		VALUE		
i. pH	MINIMUM N/A	MAXIMUM N/A	MINIMUM N/A	MAXIMUM N/A	[redacted]		8	STANDARD UNITS		[redacted]		

PART B – Mark "X" in column 2-a for each pollutant you know or have reason to believe is present. Mark "X" in column 2-b for each pollutant you believe to be absent. If you mark column 2a for any pollutant which is limited either directly, or indirectly but expressly, in an effluent limitations guideline, you must provide the results of at least one analysis for that pollutant. For other pollutants for which you mark column 2a, you must provide quantitative data or an explanation of their presence in your discharge. Complete one table for each outfall. See the instructions for additional details and requirements.

1. POLLUTANT AND CAS NO. (if available)	2. MARK "X" a. BELIEVED PRESENT	b. BELIEVED ABSENT	3. EFFLUENT a. MAXIMUM DAILY VALUE (1) CONCENTRATION	(2) MASS	b. MAXIMUM 30 DAY VALUE (if available) (1) CONCENTRATION	(2) MASS	c. LONG TERM AVRG. VALUE (if available) (1) CONCENTRATION	(2) MASS	d. NO. OF ANALYSES	4. UNITS a. CONCENTRATION	b. MASS	5. INTAKE (optional) a. LONG TERM AVERAGE VALUE (1) CONCENTRATION	(2) MASS	b. NO. OF ANALYSES
a. Bromide (24959-67-9)		X												
b. Chlorine, Total Residual		X												
c. Color		X												
d. Fecal Coliform		X												
e. Fluoride (16984-48-8)		X												
f. Nitrate-Nitrite (as N)		X												

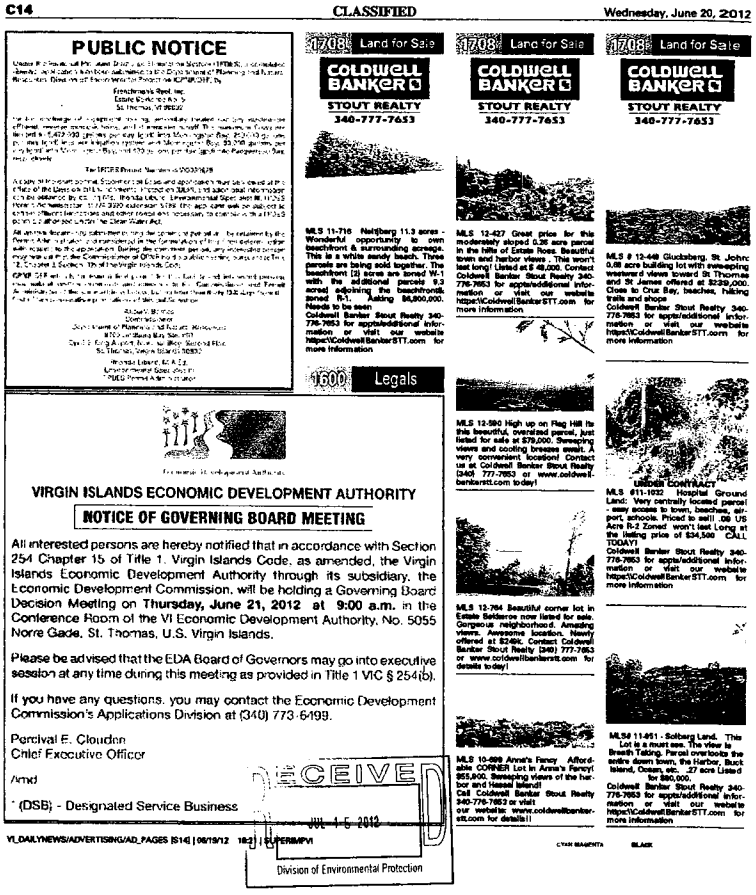
EPA Form 3510-2C (8-90) PAGE V-1 CONTINUE ON REVERSE

MAJOR TPDES Permit – RLL DPNR-DEP

STATEMENT OF BASIS: BEST PROFESSIONAL JUDGEMENT (BPJ)

ATTACHMENT

4. Published PUBLIC NOTICE with Date(s)



C14 CLASSIFIED Wednesday, June 20, 2012

PUBLIC NOTICE

1708 Land for Sale

COLDWELL BANKER

STOUT REALTY

340-777-7653

1600 Legals

VIRGIN ISLANDS ECONOMIC DEVELOPMENT AUTHORITY

NOTICE OF GOVERNING BOARD MEETING

All interested persons are hereby notified that in accordance with Section 254 Chapter 15 of Title 1, Virgin Islands Code, as amended, the Virgin Islands Economic Development Authority through its subsidiary, the Economic Development Commission, will be holding a Governing Board Decision Meeting on **Thursday, June 21, 2012 at 9:00 a.m.** in the Conference Room of the VI Economic Development Authority, No. 5055 Norre Gade, St. Thomas, U.S. Virgin Islands.

Please be advised that the EDA Board of Governors may go into executive session at any time during this meeting as provided in Title 1 VIC § 254(b).

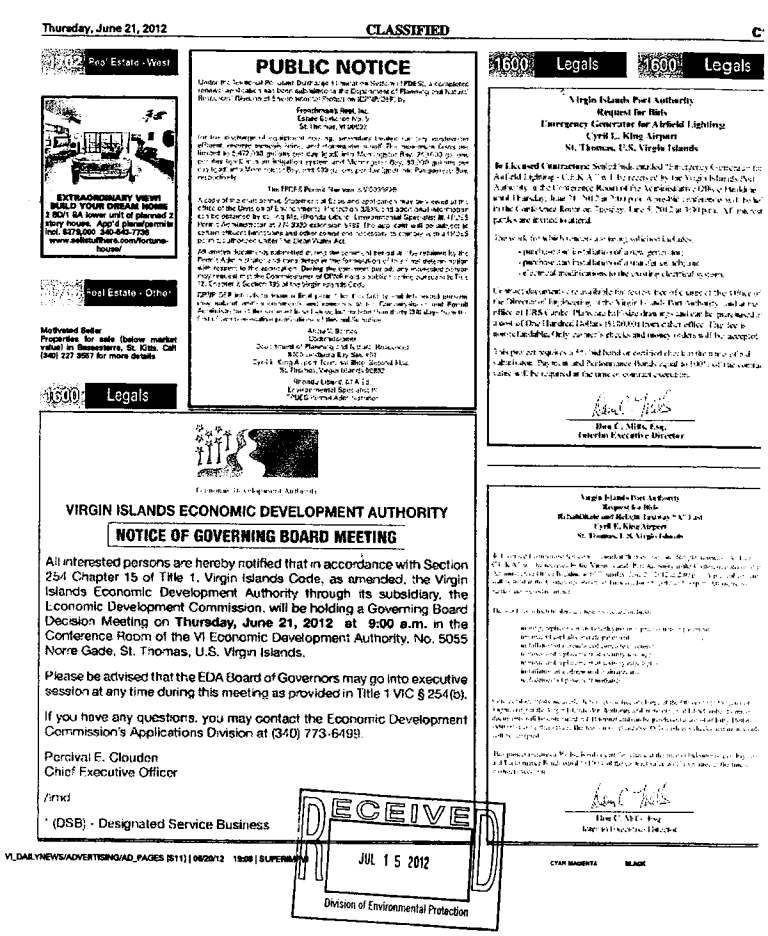
If you have any questions, you may contact the Economic Development Commission's Applications Division at (340) 773-6499.

Percival E. Cloudon
Chief Executive Officer

/smd

* (DSB) - Designated Service Business

RECEIVED
JUL 15 2012
Division of Environmental Protection



Thursday, June 21, 2012 CLASSIFIED C

1702 Real Estate - West

1704 Real Estate - Other

PUBLIC NOTICE

1600 Legals

Virgin Islands Port Authority
Request for Bids
Emergency Generator for Airfield Lighting
Cyril E. King Airport
St. Thomas, U.S. Virgin Islands

VIRGIN ISLANDS ECONOMIC DEVELOPMENT AUTHORITY

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Percival E. Cloudon
Chief Executive Officer

/smd

* (DSB) - Designated Service Business

RECEIVED
JUL 15 2012
Division of Environmental Protection

PUBLIC NOTICE

[illegible]

1500 Legals

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Percival E. Clouden
Chief Executive Officer

/mkl

* (DSB) - Designated Service Business

1500 Legals

Virgin Islands Port Authority
Request for Bids
Emergency Generator for Airfield Lighting
Cyril E. King Airport
St. Thomas, U.S. Virgin Islands

To Licensed Contractors: [illegible]

[illegible]

Don C. Mills, Esq.
Interim Executive Director

1500 Legals

Virgin Islands Port Authority
Request for Bids
[illegible]
Cyril E. King Airport
St. Thomas, U.S. Virgin Islands

[illegible]

PUBLIC NOTICE

1708 Land for Sale

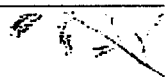
COLDWELL BANKER
STOUT REALTY
340-777-7653

MLS 11-716 Neltjberg 11.3 acres - Wonderful opportunity to own beachfront & surrounding acreage. This is a white sandy beach. Three parcels are being sold together. The beachfront (2) acres are zoned W-1 with the additional parcels 9.3 acres) adjoining the beachfront& zoned R-1. Asking $6,800,000. Needs to be seen
Coldwell Banker Stout Realty 340-776-7653 for appts/additional information or visit our website https:\\ColdwellBankerSTT.com for more information

1708 Land for Sale

COLDWELL BANKER
STOUT REALTY
340-777-7653

MLS 12-427 Great price for this moderately sloped 0.26 acre parcel in the hills of Estate Ross. Beautiful town and harbor views . This won't last long! Listed at $ 48,000. Contact Coldwell Banker Stout Realty 340-776-7653 for appts/additional information or visit our website https:\\ColdwellBankerSTT.com for more information



1708 Land for Sale

COLDWELL BANKER
STOUT REALTY
340-777-7653

MLS # 12-449 Glucksberg, St John: 0.68 acre building lot with sweeping westward views toward St Thomas and St James offered at $239,000. Close to Cruz Bay, beaches, hiking trails and shops
Coldwell Banker Stout Realty 340-776-7653 for appts/additional information or visit our website https:\\ColdwellBankerSTT.com for more information

1510 Legals

VIRGIN ISLANDS ECONOMIC DEVELOPMENT AUTHORITY

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Percival E. Clouden
Chief Executive Officer

/cmj

*(DSB) - Designated Service Business

RECEIVED
JUL 15 2012
Division of Environmental Protection

MLS 12-590 High up on Flag Hill its this beautiful, oversized parcel, just listed for sale at $79,000. Sweeping views and cooling breezes await. A very convenient location! Contact us at Coldwell Banker Stout Realty (340) 777-7653 or www.coldwell-bankerstt.com today!

UNDER CONTRACT
MLS #11-1032 Hospital Ground Land: Very centrally located parcel - easy access to town, beaches, airport, schools. Priced to sell! .09 US Acre R-2 Zoned won't last Long at the listing price of $34,500 CALL TODAY!
Coldwell Banker Stout Realty 340-776-7653 for appts/additional information or visit our website https:\\ColdwellBankerSTT.com for more information

MLS 12-764 Beautiful corner lot in Estate Bakkeroe now listed for sale. Gorgeous neighborhood. Amazing views. Awesome location. Newly offered at $249k. Contact Coldwell Banker Stout Realty (340) 777-7653 or www.coldwellbankerstt.com for details today!

MLS# 11-951 - Solberg Land. This Lot is a must see. The view Is Breath Taking. Parcel overlooks the entire down town, the Harbor, Buck Island, Ocean, etc. .27 acre Listed for $80,000.
Coldwell Banker Stout Realty 340-776-7653 for appts/additional information or visit our website https:\\ColdwellBankerSTT.com for more information

MLS 10-699 Anna's Fancy Affordable CORNER Lot in Anna's Fancy! $55,900. Sweeping views of the harbor and Hassel Island!
Call Coldwell Banker Stout Realty 340-776-7653 or visit our website: www.coldwellbankerstt.com for details!!

PUBLIC NOTICE

Under the Territorial Pollutant Discharge Elimination System (TPDES), a completed renewal application has been submitted to the Department of Planning and Natural Resources' Division of Environmental Protection (DPNR/DEP) by:

Frenchman's Reef, Inc.
Estate Bakkeroe No. 5
St. Thomas, VI 00802

for the discharge of equipment cooling, secondary treated sanitary wastewater effluent, reverse osmosis brine, and stormwater runoff. The maximum flows are limited to 5,472,000 gallons per day (gpd) into Morningstar Bay; 240,000 gallons per day (gpd) into an irrigation system and Morningstar Bay; 90,000 gallons per day (gpd) into Morningstar Bay and an estimated 400 gallons per day (gpd) into Pacquereau Bay, respectively.

The TPDES Permit Number is VI0039829.

A copy of the draft permit, Statement of Basis and application may be viewed at the office of the Division of Environmental Protection (DEP), and additional information can be obtained by calling Ms. Rhonda Liburd, Environmental Specialist III, TPDES Permit Administrator at 774-3320 extension 5188. The applicant will be subject to certain effluent limitations and other conditions necessary to comply with a TPDES permit, authorized under The Clean Water Act.

All written documents submitted during the comment period will be retained by the Permit Administrator and considered in the formulation of this final determination with respect to the application. During the comment period, any interested person may request that the Commissioner of DPNR hold a public hearing pursuant to Title 12, Chapter 7, Section 195 of the Virgin Islands Code.

DPNR/DEP intends to issue a final permit for this facility and interested persons may submit written comments and concerns to the Commissioner and Permit Administrator at the same address below, but no later than thirty (30) days from the first of two consecutive publications of this public notice:

Alicia V. Barnes
Commissioner
Department of Planning and Natural Resources
8100 Lindberg Bay Ste. #61
Cyril E. King Airport, Terminal Bldg, Second Floor
St. Thomas, Virgin Islands 00802

Rhonda Liburd, M.A.Ed.
Environmental Specialist III,
TPDES Permit Administrator

Frenchman's Reef - WWTP

Effluent Limitations for 5-day Biochemical Oxygen Demand (BOD_5), Total Suspended Solids (TSS)

(BOD_5) Average Monthly Effluent Limitation - Mass

30 mg/l x **8.34** (lb/MG)/(mg/l) x **0.2** MGD = 50 lb/day

(TSS) Average Monthly Effluent Limitation - Mass

30 mg/l x **8.34** (lb/MG)/(mg/l) x **0.2** MGD = 50 lb/day

Equipment Cooling, R/O-WWTF

During the period beginning on the effective date of the permit and lasting through the expiration date of the permit, the Permittee is authorized to discharge from outfall serial numbers 001 (once-through equipment cooling water, reverse osmosis brine and treated wastewater including its collection systems, outfall(s) (oil/water separators, grease trap systems for restaurants and onsite laundries with one or more pairs of washers and dryers) and stormwater runoff outfall 002. All such discharges shall be limited and monitored by this Permittee as specified below:

Receiving Water Classification: B (BPJ)

Table 1A: REQUIRED EFFLUENT LIMITATIONS AND MONITORING

Effluent Characteristic (Parameter)	Effluent Concentration Limitations			Monitoring Requirements		
	Maximum Daily Limit	Percent Removal	Average Monthly Limit	Sample Location	Sample Frequency	Sample Type
001A FLOW (MGD) *(equipment cooling waterfall)*	***5.472***	N/A	***5.472***	Effluent	Continuous	Continuous
Temp (°C)	32	N/A	N/A	Effluent	DAILY	Grab or Cont.
pH	6 to 8.3	N/A	N/A	Effluent	DAILY	Grab or Cont.
001B FLOW (MGD) (WWTP) **001C FLOW** (MGD) (WWTP) **001D FLOW** (MGD) (WWTP)	*0.2 (waterfall)* *0.11 (Reef)* *0.097 (Cove)* *Total **5.879***	N/A	*0.12 (waterfall)* *0.05 (Reef)* *0.03 (Cove)* *Total **5.672***	Effluent	Continuous	Continuous
Temp (°C)	32	N/A	N/A	Effluent	DAILY	Grab or Cont.
pH	6 to 8.3	N/A	N/A	Effluent	DAILY	Grab or Cont.
BOD_5	50 lbs/day	≥85*	30 mg/l	Influent and Effluent	MONTHLY	24-hour Composite
TSS	50 lbs/day	≥85*	30 mg/l	Influent and Effluent	MONTHLY	24-hour Composite
Fecal Coliform (#/100ml)	70**	N/A	N/A	Effluent	WEEKLY	Grab
Residual Chlorine (ppm)	1***	N/A	N/A	Effluent	WEEKLY	Grab
Oil & Grease	REPORT****	N/A	N/A	Effluent	MONTHLY	Grab

Effluent Characteristic (Parameter)	Effluent Concentration Limitations			Monitoring Requirements		
	Maximum Daily Limit	Percent Removal	Average Monthly Limit	Sample Location	Sample Frequency	Sample Type
001E FLOW (MGD) *(reverse osmosis waterfall)*	**0.09**	N/A	**0.09**	Effluent	Continuous	Continuous
Temp (°C)	32	N/A	N/A	Effluent	DAILY	Grab or Cont.
pH	7 to 8.3	N/A	N/A	Effluent	DAILY	Grab or Cont.
Total Dissolved Solids (mg/l)	REPORT	N/A	N/A	Effluent	QUARTERLY	Grab
Salinity (mg/l)	REPORT	N/A	N/A	Effluent	QUARTERLY	Grab
Oil & Grease	REPORT****	N/A	N/A	Effluent	QUARTERLY	Grab
002 FLOW (MGD) *(stormwater runoff)*	**0.004**	N/A	N/A	Effluent	EPISODIC	EPISODIC
TSS (mg/l)	Report	N/A	N/A	Effluent	EPISODIC	Grab

Samples collected in compliance with the monitoring requirements specified in Table 1A shall be taken at any point after the treatment process has commenced but prior to being discharged into the receiving waters. There shall be no discharge of floating solids, oil sheen or visible foam. *To determine any percent removal of BOD_5 or TSS, the influent must be sampled after the bar screen. Compliance sampling points must be labeled. **_Bacteria shall not exceed a geometric (log) mean of 70 fecal coliforms per 100 ml. by MF or MPN count._ ***Residual Chlorine limit for recycled effluent is 2ppm. ****No residue attributable to wastewater nor visible oil film nor globules of grease shall be present in any waters.

SPECIAL CONDITIONS - Equipment Cooling RO-WWTF

Special conditions are hereby incorporated into this permit in order to satisfy the provisions Title 12 of the Virgin Islands Code, Chapter 7, Section 185 (f) (1981), and Section 301 (b) (1) (C) of the Federal Clean Water Act (PL 95-217). As part of the administration of the Territorial Pollutant Discharge Elimination System (TPDES), the TPDES Permit Administrator is the primary permit writer and reviewer of inspection reports. Further, a TPDES Permit Compliance Evaluation Inspector (TPDES CEI Inspector) will conduct routine and follow-up inspections for this facility and report subsequent findings to the U.S. Environmental Protection Agency (EPA) and the TPDES Permit Administrator. The TPDES Permit Administrator and CEI Inspector are the authorized representatives of the Commissioner of DPNR for the sole purpose of insuring the following special conditions:

1. This permit is for a five year period. Within that period, the Permittee is required to report any management changes by submitting an updated EPA Form 1. An annual re-certification must be performed if there are any management changes at the permittee's facility. This annual re-certification must occur thirty (30) days prior to the anniversary of the effective date of the permit and on the same date each year by submitting an updated EPA Form 1. The EPA Form 1 must be accompanied by a cover letter on official stationary, addressed to the TPDES Permit Administrator, certifying that it's current general manager, director of engineering, condominium association president and/or certified plant operator have read and understood all parts and special conditions of this permit (see Part II (B) 11 (a) & (c) for "Signatory requirements"). Certification Letters serve to inform the Division of Environmental Protection (DEP) of any changes in management. DEP must be informed of any interim management changes or changes in the plant operator.

The Permittee has a "Duty to Comply" subject to fines during that permitting cycle, and a "Duty to Reapply" at least 180 days prior (about 6-months) to the permit's expiration date, pursuant to Part II (B) 1&2 of this permit. The renewal application, EPA Form 2C, must be completed at that time pursuant to 40 CFR 122.21(e). Therefore, it is recommended, but not required, that the Permittee request an application meeting at least 60 days earlier. An application fee may apply at that time, in accordance with 12 V.I. R. & REGS. § 184-26, pursuant to 12 V.I. CODE ANN. § 184 (a) and (p) and (q) (1976).

Annually, the manager, operator or contact person must attend a mandatory Regulatory Question & Answer Meeting with the TPDES Permit Administrator. During that meeting, the Permittee must, if applicable, provide proof of current applicable permits for waste oil, standby generators, boilers, well appropriation and an approved spill prevention plan or terminal facilities license.

2. Prior to Compliance Evaluation Inspections (CEIs), the Permittee or designated representative must review the following sections of this permit: "Monitoring and Records" Part II (B) 10 (b)&(c); "Inspection and Entry" Part II (B) 9 (d); and "Proper Operation and Maintenance" Part II (B) 5. At a minimum, flow meters must also be installed at the labeled effluent sampling points for both the brine discharge (outfall 001) and treated effluent (outfall 002). Composite samplers may be provided for (through a certified laboratory or independently) at the labeled influent and effluent sampling points for the wastewater treatment plant. Discharge Monitoring Reports (DMRs) and logbook records must be presented for applicable permit limits, instrument calibration, and equipment maintenance including standby generators. A calibration and maintenance schedule must be provided. A filter or system backwash schedule is required for seawater intakes. All logbooks must contain time, date and signatures. Used oil must be labeled. Further, a demonstration of any standard operating procedure may also be required. This permit is subject to modification based on violations of permit conditions including any interim schedule of compliance, pursuant to 12 V.I. CODE ANN. § 185 (f) 2 (A) and (i) (2000). The Permit Administrator, CEI inspector or any other DEP officer, may conduct additional follow-up inspections each quarter to ascertain compliance. A non-compliance corrective action plan may be required within 30

days of written notification of deficiencies discovered during these inspections. This permit, including all pages, must be prominently displayed onsite at both the reverse osmosis and wastewater treatment plants.

3. Sludge, oil and grease generated by the Permittee shall be disposed of in a manner that complies with applicable regulations for the control of hazardous and non-hazardous wastes. The collection system must be free of oil & grease, and the influx of detergents must be minimized. All sludge originating at this facility that will be taken to the landfill by a sludge hauler must be free of liquids and tested for residual pathogens to meet or exceed Class A standards for sludge, pursuant to 40 CFR 503.4 & 40 CFR 258 and in accordance with 40 CFR 503.32. Pathogen (Class A) standards for coliform density in sewage sludge are set at less than 1000 Most Probable Number (MPN) per gram of total dry solids or salmonella of less than 3 MPN.

   A pre-numbered logbook shall be kept on the premisses and maintained by the Permittee with information recorded in indelible ink, for the waste materials removed from the wastewater treatment system, kitchen grease traps or interceptors (if applicable), driveway oil/water separators and designated laundry facilities (if applicable). Each entry shall detail the following items: a.) removed material with date, b.) approximate volume or weight, c.) method of removal and transport, d.) final disposal and location, and e.) person that offered service. The service provider is responsible to the Permittee and in turn, the Permittee is responsible to DPNR.

4. This permit may be transferred to a new owner if the current Permittee notifies the TPDES Permit Administrator, thirty (30) days prior to the transfer date of its intent. The notification must contain a cover letter on official stationary, with a copy of the written agreement between the old and new owner on the terms of the transfer (operational control, responsibility, coverage and liability), along with EPA Form 1 competed by the new owner. This is subject to the Commissioner's modification or revocation of the permit, pursuant to 40 CFR 122.63 (d). The new owners must also independently certify that they have read and understood the permit and all special conditions.

5. The Grease Management Plan must be adhered to by the Permittee including staff training, preventive maintenance of grease traps, regular waste removal and documentation. The Permittee must perform inspections, produce written and photo documentation as well as maintain equalization tank. The Permittee must produce a quarterly summary report of Grease Management Plan activities and test results. This summary report must be submitted to the attention of the permit administrator no later than thirty (30) days after the end of the quarter and include the following:

   a. Quarterly training of culinary staff in proper grease handling methods including site visit to the WWTP. Selection of a culinary staff member by the resort to oversee grease handling practices in the resort kitchens. Bilingual signage is to be installed in all kitchens describing proper grease handling procedures.

   b. Conduct monthly inspection of all grease interceptors, grease barrels and grease traps on all properties with photo documentation and implemented recommendations.

   c. Permittee to provide preventative maintenance program for all grease interceptors, with log sheet and documentation.

d. Permittee to provide regular hauling of grease traps and barrels by a licensed hauler and keep all documentations. Regular hauling is estimated to be on monthly intervals during high season and every two (2) months in the off season.

e. Permittee will maintain the existing equalization basin as a low aeration/anoxic zone to act as a last collection point for any grease that may have entered the plant. As needed, the surface of this tank will be skimmed by a licensed waste hauler with loads hauled documented in the plant bound, pre-numbered TPDES notebook.

The grease handling capabilities of the resort are as follows:

- Frenchman's Cove – Sunset Grill – 750 gallon grease trap
- Havana Blue Restaurant – 10 gallons per minute grease interceptor and 135 gallon grease trap
- Coco Joe's – 2-10 gallon per minute grease interceptors and 420 gallon grease trap
- Sunset Kitchen – 10 gallon per minute grease interceptor

6. All stored oil (new or used) must have secondary containment including those currently stored at the entrance hallway to the reverse osmosis (R/O) facility. The current used oil permit must also be posted in the same area or at the R/O facility.

7. **Whole Effluent Toxicity (WET) Testing Re-opener**

This special condition allows the permit to be re-opened if DPNR determines it necessary to perform or establish Whole Effluent Toxicity (WET) testing requirements in order to establish WET limits for this permit or to gather information in order to determine Reasonable Potential for Harm (RPH) to the environment and whether or not the permit will require them either to be implemented immediately or in consideration for the next permitting cycle.

8. **Total Maximum Daily Load (TMDL) Re-opener Clause**
This special condition is to allow the permit to be reopened if necessary to modify permit conditions to comply with any TMDL that may be established for the Remote Watershed.

9. **Antidegradation**
The antidegradation policy set forth in 12V.I.R.&Regs. §186-7 (2004) shall be adhered to by DPNR, and this permit shall not allow degradation of existing water quality unless the conditions of this regulatory section are met.

10. **Changes in Flow**
The flows of all outfalls shall not exceed the limitations set forth in this permit. No alterations of flow shall be made to the permit without authorization from the permitting authority which is DPNR-DEP and modifications to the respective permit.

11. **40CFR §136**
All sample collection, preservation, and analysis performed by the Permittee or any third-party shall be carried out in accordance with the most current version of 40 CFR §136.

12. Any change in the location, design or capacity of the present cooling water intake structures shall be approved by the Commissioner of DPNR.

13. Cooling Water Intake Structure (CWIS) Requirements to Minimize Adverse Environmental Impacts from Impingement and Entrainment are as follows:

    a. The design, location, construction, and capacity of the permittee's CWIS shall reflect the best available technology for minimizing the adverse environmental impacts from the entrainment and impingement of fish eggs and larvae, as well as impingement of adult and juvenile fish, due to the CWIS. In order to satisfy this standard, the permittee shall comply with Part I.13.a.(1)-(5) below.

        (1) The permittee shall not withdraw more than 5.472 million gallons of water through the CWIS on any day.

        (2) The permittee shall restrict the effective through-screen velocity through each of the traveling screens to no more than 0.5 feet per second (ft./sec.) at any point on the screen.

        (3) The permittee shall inspect the traveling screens at least monthly. The permittee shall repair damage that compromises performance as soon as practicable.

        (4) The permittee shall clean, rotate, and otherwise maintain the traveling screens as often as needed to maintain a through-screen velocity no greater than 0.5 ft./sec.

        (5) Within 90 days of the Effective Date of the permit, the permittee shall submit calculations to verify that, the through-screen velocity through each of the traveling screens is no greater than 0.5 ft./sec. This and all other submittals in this Part shall be made to the Commissioner of DPNR.

14. Within 90 days of the Effective Date of the permit, the permittee shall submit a CWIS Maintenance Plan for review and approval addressed to the Commissioner of DPNR.

15. This permit may be modified, revoked or reissued to comply with any applicable effluent standard or limitation issued or approved, if the effluent standard or limitation so issued or approved:

    a. contains different conditions or is otherwise more stringent than any effluent limitation in this permit; or
    b. controls any pollutant not limited by this permit.

    If the permit is modified or reissued, it shall be revised to reflect all currently applicable requirements.

16. Fish Mortality Requirements

Each day through the year that the permittee is discharging effluent, the permittee shall visually inspect Morningstar Bay in the vicinity of Outfalls 001A for dead fish. A fish, defined for this purpose as any juvenile or adult fish, shall be considered dead if it is observed to have a loss of equilibrium for at least two minutes.

a. Initial Notification and Response

1. If the permittee observes three or more dead fish, the frequency of observation shall be increased to not less than once every two hours until no additional dead fish are observed. If 25 or more dead fish are observed within any 24 hour period in either of the areas specified above, the permittee shall provide telephone notification to the Commissioner of DPNR within four hours of such observation. If 25 or more dead fish are observed during a 24 hour weekend, holiday or evening period, the permittee shall notify the Commissioner of DPNR on the next business day.

2. Upon observation of fish mortalities sufficient to require notification, the permittee shall make a concerted effort to collect and report the following information, if practicable: (1) the hourly Facility discharge temperatures for the 24 hours prior to and including the time of the fish mortality, (2) the dissolved oxygen levels and receiving waters temperatures at the approximate location of the fish kill, (3) the number of dead fish observed, by species, and (4) the length of all dead fish collected, in millimeters, or if greater than 100 mm in length, to the nearest centimeter (cm). If more than 100 dead fish are collected, a representative subset of the fish may be measured for total length. Dissolved oxygen and receiving waters temperature values shall be collected once a day, unless directed otherwise by the Commissioner of DPNR. Facility discharge temperature data is already recorded on a continuous basis and would be sufficient to meet of the requirement above. The information collected shall be included in a written report documenting the event, as required in Part I.16.c, below.

3. On observation of fish mortalities sufficient to require notification, and if the discharge temperature is greater than 1°C above natural, the permittee shall reduce the discharge temperature to the receiving water temperature within two hours of such observation.

4. If, at the end of the 24 hour period from the initial observation, fish mortalities are no longer occurring and EPA or the Commissioner of DPNR does not advise otherwise, the permittee shall cease monitoring under this section of the permit and return to normal operation.

b. In the event of fish mortalities sufficient to require notification of Morningstar Bay in the vicinity of Outfalls 001A,B,C&D the permittee will begin removing all dead fish within four hours after the fish mortalities have been observed. The dead fish shall be enumerated in accordance with Part I.16.a.2.(4) above.

c. The permittee shall make a written report of any documented fish mortalities to the Commissioner of DPNR, within ten (5) business days of the event. Included in this report shall be (1) the status of operation at the Facility before and during the event, along with all information required in Part I.16.a.2 of this permit, (2) any meteorological or other environmental conditions that may have contributed to the event, (3) the opinion of the permittee as to the cause of the event, and (4) what actions the Facility shall take in the future to reduce the recurrence of fish kills (if applicable).

17. Unusual Impingement Events

The permittee shall report all "unusual impingement events" at the Facility. The beginning of an "unusual impingement event" (UIE) is defined as any occasion on which the permittee's rotation of one or more traveling screens yields 15 or more total fish (of all species) that were impinged upon the screens. UIEs will be reported to the Commissioner of DPNR by telephone no later than twelve (12) hours after the permittee is aware of or has reason to believe an UIE has occurred. If the UIE is observed during weekend, holiday or evening periods, the permittee shall notify the Commissioner of DPNR on the next business day. The permittee shall prepare and submit a written report regarding such UIE within ten (10) business days to Commissioner of DPNR. Upon the initial observation of a UIE, the permittee shall rotate all traveling screen[s] once every hour until the impingement rate is less than 15 fish per hour. Impinged fish shall be enumerated and reported. Dead fish collected or trapped on the traveling screen shall be identified to species (if possible) and measured in millimeters, or if greater than 100 mm in length, to the nearest cm. All fish collection information shall be included in a Monthly and Annual Monitoring Report. All live adult and juvenile fish collected or trapped on the traveling screens shall be identified to species, measured in millimeters (mm), or if greater than 100 mm in length, to the nearest centimeter (cm), inspected to determine overall health and reproductive condition (if possible) and returned away from the CWIS.

18. The use of additives to control biological growth, corrosion, and/or scale in cooling water is prohibited. In the event that the permittee's operation requires the use of cooling water treatment additives that are discharged to Waters of the Virgin Islands, written permission must be obtained at least 180 days prior to use from the Commissioner of DPNR. Discharges of these additives must meet Virgin Islands Water Quality Standards and shall not be harmful or inimical to aquatic life.

19. The permittee shall monitor the flow and temperature of the discharge prior to entry into the receiving water body. Monitoring results shall be reported on the monthly Discharge Monitoring Report. There shall be no abnormal temperature changes that may adversely affect aquatic life unless caused by natural conditions. The normal daily and seasonal temperature fluctuations which existed before the addition of heat due to other than natural causes shall be maintained.

20. Clean Water Act (CWA) - §316(b) Reopener Clause

At the time of issuance of this permit, EPA published a Notice of Data Availability (NODA) (EPA-821-F-12-003) that makes available for public review new biological data and information obtained in relation to the impingement mortality standard.

This special condition is to allow the permit to be reopened if necessary to bring it into compliance with any new requirements or approaches that EPA implements as a result of this data.

21. Effluent Visual Inspection

Each day through the year that the permittee is discharging effluent from outfalls 001B,C,D, the permittee shall visually inspect effluent prior to discharge to verify that the treated effluent is clear before discharging to the waterfall at Morningstar Bay. There shall be no discharge of treated effluent that is not clear to Outfalls 001B, C and D.

22. In the event of leaks, spills or overflows at this permitted facility, the following individuals must be included in any and all notifications:

    Wayne Donadelle, Environmental Specialist, TPDES CEI Inspector at 774-3320 extension 5156,
    Rhonda L. Liburd, Environmental Specialist III, TPDES Permit Administrator at ext. 5188, and
    Jim Casey, EPA/CEPD, VI Coordinator at 714-2333.

B. MONITORING AND REPORTING REQUIREMENTS

1. Monitoring and records. See Part II.B.10.

2. Discharge Monitoring Reports (DMR).

a. See Part II.B.12.d.

b. Monitoring results obtained during the previous month shall be summarized and reported on a Discharge Monitoring Report Form (EPA No. 3320_1), postmarked no later than the 28th day of the month following the completed reporting period. The first report is due on the effective date of the permit (EDP) +28 days. The permittee shall sign and certify all DMRs, and all other reports, in accordance with the requirements of Part 11.b of this permit ("Signatory Requirements"). The permittee shall submit legible originals of these documents to DPNR, with copies to EPA at the following addresses:

Regional Administrator
USEPA Region II
290 Broadway
New York, NY 10007-1866
Attn: Permits Admin. Branch

Government of the U.S. Virgin Islands
Dept. of Planning & Natural Resources
Office of the Commissioner
Division of Environmental Protection
Water Pollution Control Program
8100 Lindberg Bay, Ste. 61
Cyril E. King Airport, Terminal Building, 2nd Floor
St. Thomas, VI 00802

3. Quality assurance practices. The Permittee is required to show the validity of all data by requiring its laboratory to adhere to the following minimum quality assurance practices:

a. Duplicate[1] and spiked[2] samples must be run for each constituent analyzed for permit compliance on 5% of the samples, or at least on one (1) sample per month, whichever is greater. If analysis frequency is less than one (1) sample per month, duplicate and spiked samples must be run for each analysis.

b. For spiked samples, a known amount of each constituent is to be added to the discharge sample. The amount of constituent added should be approximately the same amount present in the unspiked sample, or must be approximately that stated as maximum or average in the discharge permit.

c. The data obtained in 3. a. above shall be summarized in an annual report submitted at the end of the fourth quarter of reporting in terms of precision, percent recovery, and the number of duplicate and spiked samples run.

d. Precision for each parameter shall be calculated by the formula, standard deviation $s = (\Box D^2/2K)^{1/2}$, where "D" is the difference between duplicate results, and "K" is the number of duplicate pairs used in the calculation.

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[1] **Duplicate samples are not required for the following parameters: Color, Temperature, Turbidity.**

[2] **Spiked samples are not required for the following parameters listed in Table 1 of 40 CFR 136: Acidity, Alkalinity, Bacteriological, Benzidine, Chlorine, Color, Dissolved Oxygen, Hardness, pH, Oil & Grease, Radiological, Residues, Temperature, Turbidity. Procedures for spiking samples and spiked sample requirements for parameters not listed on the above referenced table are available through EPA's Regional Quality Assurance Coordinator.**

e. Percent recovery for each parameter shall be calculated by the formula R = 100 (F_I)/A, where "F" is the analytical result of the spiked sample, and "I" is the result before spiking the sample, and "A" is the amount of constituent added to the sample.

f. The percent recovery," R", for each parameter in 3. e. above shall be summarized yearly in terms of mean percent recovery and standard deviation from the mean. The formula, s = $[\square(x\_\square)^2/(n\_1)]^{1/2}$, where "s" is the standard deviation around the mean "□", "x" is an individual recovery value, and "n" is the number of data points which shall be applied.

g. The Permittee or his contract laboratory is required to annually analyze an external quality control reference sample for each pollutant. These are available through the Regional Quality Assurance Coordinator, Region II, U.S. Environmental Protection Agency, Edison Environmental Laboratory, Edison, New Jersey 08817.

h. The Permittee and/or his contract laboratory is required to maintain records of the specific analytical methods used, including options employed, if any, within a particular method, and of reagent standardization and equipment calibration operations.

i. If a contract laboratory is utilized, the Permittee shall submit the name and address of the laboratory and the parameters analyzed at the time it submits its discharge monitoring reports (see Section B.2.b. above). Any change in the contract laboratory being used or the parameters analyzed shall be reported prior to or together with the monitoring report covering the period during which the change was made.

C. OTHER REQUIREMENTS

1. N/A.

2. N/A.

a. N/A.

3. N/A.

4. Alterations. There are material and substantial changes or additions to the permitted facility or activity which occurred after permit issuance which justify the application of permit conditions that are different or absent in the existing permit.

5. Monitoring.
a. N/A.
b. N/A.
c. N/A.

6. Twenty_four hour reporting.

a. The Permittee must report violations of maximum daily discharge limitations in accordance with the reporting requirements set forth in Part II.B.12.f. (twenty-four (24) hour reporting followed by five (5) day written submission).

7. Additional reporting requirements. The Permittee shall notify the Regional Administrator and Commissioner as soon as it knows or has reason to believe:

a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":

(1) One hundred micrograms per liter (100 □g/l); or

(2) Two hundred micrograms per liter (200 □g/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 □g/l) for 2,4_dinitrophenol and for 2_methyl_4,6_dinitrophenol; and one milligram per liter (1 mg/l) for antimony; or

(3) Five (5) times the maximum concentration value reported for that pollutant in the permit application; or

(4) The notification level, if any, established by the Commissioner in the permit.

b. That any activity has occurred or will occur which would result in any discharge, on a non_routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":

(1) Five hundred micrograms per liter (500 □g/l); or

(2) One milligram per liter (1 mg/l) for antimony; or

(3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application; or

(4) The notification level, if any, established by the Commissioner in the permit.

c. *Compliance Schedule*: N/A

DEFINITIONS

1. "Average monthly discharge limitation" means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

2. "Average weekly discharge limitations" means the highest allowable average of "daily discharges" over a calendar week, calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week.

3. "Bypass" means the intentional diversion of wastes from any portion of a treatment facility.

4. "Composite" means a combination of individual (or continuously taken) samples obtained at regular intervals over the entire discharge day. The volume of each sample shall be proportional to the discharge flow rate. For a continuous discharge, a minimum of twenty-four (24) individual grab samples (at hourly intervals) shall be collected and combined to constitute a 24_hour composite sample. For intermittent discharges of more than four (4) hours duration, grab samples shall be taken at a minimum of thirty (30) minute intervals.

5. "Commissioner" means the Commissioner of the Department of Planning and Natural Resources or his duly authorized representative.

6. "Daily discharge" means the discharge of a pollutant measured during a calendar day or any 24_hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharge over the day. For pollutants with limitations expressed in other units of measurement, the "daily discharge" is calculated as the average measurement of pollutant over the day. For purposes of sampling, "daily" means an operating day or 24_hour period.

7. "Discharge Monitoring Report" or "DMR" means the EPA uniform national form, including any subsequent additions, revisions, or modifications, for reporting of self monitoring results by Permittees.

8. "Grab" means an individual sample collected in less than fifteen (15) minutes.

9. "Gross" means the weight or concentration contained in the discharge. (Unless a limitation is specified as a net limitation, the limitation contained in this permit is a gross limitation).

10. "Maximum daily discharge limitation" means the highest allowable "daily discharge".

11. "Monthly" means one day each month (the same day each month) and a normal operating day (e.g., the 2nd Tuesday of each month).

12. "Net" means the amount of a pollutant contained in the discharge measured in appropriate units as specified herein, less the amount contained in the surface water body intake source, measured in the same units, over the same period of time, provided:

    a. The intake water source must be drawn from the same body of water into which the discharge is made; and

b. In cases where the surface water body intake source is pretreated for the removal of pollutants, the intake level of a pollutant to be used in calculating the net is that level contained after the pretreatment steps.

13. "Regional Administrator" means the Regional Administrator of Region II of EPA or the authorized representative of the Regional Administrator.

14. "Severe property damage" means that substantial physical damage to the treatment facilities which would cause them to become inoperable or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

15. "Toxic pollutant" means any of the pollutants listed in 40 C.F.R. 401.15 (45 F.R. 44503, July 30, 1979) and any modification to that list in accordance with Section 307(a)(1) of the Clean Water Act.

16. "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology_based effluent limitations because of factors beyond the reasonable control of the Permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

17. "Weekly" means every seventh day (the same day of each week) and a normal operating day.

18. "TPDES Permit Administrator" means the author of this permit.

B. GENERAL CONDITIONS

1. Duty to Comply

a. The Permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Environmental Laws and Regulations of the Virgin Islands and Federal Clean Water Act and is ground for enforcement action; for permit termination, revocation and reissuance, or modification; or the denial of a permit renewal application.

b. The Permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Federal Clean Water Act for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not been modified to incorporate the requirement.

c. (1) Title 12, Section 190 of the Virgin Islands Code, Water Pollution Control Act provides that any person who violates any permit condition is subject to a civil penalty not to exceed $50,000 per day of violation. Any person who willfully or negligently discharges pollutants in violation of any condition or limitation included in a permit; or violates requirements of 12 V.I.C. Section 189; or with respect to introductions of pollutants into publicly owned treatment works, violates a pretreatment standard or toxic effluent standard, shall upon conviction, be punished by a fine not less than $5,000 per day of violation. If the conviction is for a violation committed after a first conviction of the person under this subsection, punishment is by a fine of not more than $100,000 per day of violation. Any person who knowingly makes any false statements, representation or certification in any application, record, report, plan or other documents filed or required to be maintained under this chapter or by any permit, rule, regulation or order issued under the Act, or who falsifies, tampers with or knowingly renders inaccurate any monitoring device or method required to be maintained under the Act, shall upon conviction, be punished by a fine of not more than $10,000 or by imprisonment for not more than six (6) months or both.

(2) The Clean Water Act, Section 309(c) provides that any person who violates a permit condition implementing Section 301, 302, 306, 308, 318, or 405 of the Clean Water Act is subject to civil and criminal penalties which in several of its provisions exceed those imposed under the Virgin Islands Water Pollution Control Act.

2. Duty to Reapply. This permit and the authorization to discharge shall terminate on the expiration date indicated on the first page. In order to receive authorization to discharge after the expiration date of this permit, the Permittee must file for reissuance at least one hundred and eighty (180) days prior to the permit's expiration.

3. Need to Halt or Reduce not a Defense. It shall not be a defense for a Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit The permittee is responsible for maintaining adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failure either by means of alternate power sources, standby generators or retention of inadequately treated effluent.

4. Duty to Mitigate. The Permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

5. Proper Operation and Maintenance. The Permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back_up or auxiliary facilities or similar systems, installed by the Permittee, when the operation is necessary to achieve compliance with the conditions of the permit.

6. Permit Actions.

a. This permit may be modified, revoked and reissued, or terminated during its term for cause. The filing of a request by the Permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

b. Causes for modification, revocation and reissuance, and termination are set forth in 40 C.F.R. 122.62 and 122.64, and 185(i) and 12 V.I.R.&R. Subsection 184_34(e) and 184_51.

(1) Specified causes for modification, revocation and reissuance, and termination include:

(a) Noncompliance by the Permittee with any condition of the permit;

(b) The Permittee's failure in the application or during the permit issuance process to disclose fully all relevant facts, or the Permittee's misrepresentation of any relevant facts at any time;

(c) A determination that the permitted discharge endangers human health or the environment and can only be regulated to acceptable levels by permit modification or termination; or

(d) There is a change in any condition that requires either a temporary or a permanent reduction or elimination of any discharge controlled by the permit.

(2) Specified causes for modification and, upon request or agreement of the Permittee, revocation and reissuance of the permit include material and substantial alterations or additions to the Permittee's operation which occurred after permit issuance and which justify the application of permit conditions that are different or absent from this permit,
(e.g., production changes, relocation or combination of discharge points, changes in the nature or mix of products produced) provided the reconstruction activities do not cause the new source permit issuance provisions of 40 C.F.R. 122.29 to be applicable.

c. With the exception of permit modifications which satisfy the criteria in 40 C.F.R. 122.63 and V.I.R.&R. Section 184_51(c) for "minor modifications" the applicable procedures required by 40 C.F.R. Part 124 and 12 V.I.C. Section 188(c) shall be followed before this permit is modified, revoked, reissued or terminated. Notice and opportunity for hearing are as provided under T. 12 V.I.C. Sections 188 (b) and (c).

7. Property rights. The issuance of this permit does not convey any property rights or any exclusive privileges, nor does it authorize any injury to persons or property or invasion of other private rights, or any infringement of Virgin Islands laws or regulations.

8. Duty to provide information. The Permittee shall furnish to the Commissioner within a reasonable time, any information which the Commissioner may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The Permittee shall also furnish to the Commissioner, upon request, copies of records required to be kept by this permit.

9. Inspection and Entry. The Permittee shall allow the Regional Administrator, the Commissioner, or any other authorized representative(s), upon the presentation of credentials and other documents as may be required by law, to:

a. Enter upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;

b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

c. Inspect at reasonable times any facilities, equipment(including monitoring and control equipment), practices, or operations regulated or required under this permit; and

d. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Environmental Laws and Regulations of the Virgin Islands and the Clean Water Act, any substances or parameters at any location.

10. Monitoring and Records.

a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

b. The Permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, for a period of at least three (3) years from the date of the sample, measurement report or application. This period may be extended by request of the Commissioner at any time.

c. Records of monitoring information shall be recorded with indelible ink in a bound log book with pre-numbered pages and shall include:

(1) The date, exact place, and time of sampling or measurement;
(2) The individual(s) who performed the sampling or measurements;
(3) The date(s) analyses were performed;
(4) The individual(s) who performed the analyses;
(5) The analytical techniques or methods used;
(6) The quality assurance information specified in Part I of this permit; and

(7) The results of such analyses.

d. Monitoring shall be conducted according to test procedures approved under 40 CFR, Part 136.

e. The Clean Water Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall upon conviction, under the Virgin Islands Water Pollution Control Act be punished by a fine of not more than $10,000, or by imprisonment for not more than six (6) months, or by both, or under the Clean Water Act be fined not more than $10,000 or imprisoned for not more than two (2) years.

11. Signatory requirements.

a. All permit applications shall be signed as follows:

(1) For a municipality, State, Federal or other public agency, by either a principal executive officer or ranking elected official, or other duly authorized employee.

(2) In any other case, by the individual duly authorized to act, as evidenced by documentation acceptable to the Commissioner.

b. All reports required by this permit, and other information requested by the Regional Administrator or Commissioner of DPNR pursuant to the terms of this permit, including DMRs and reports of noncompliance, shall be signed as follows:

(1) By a person described in subsection a, or by a duly authorized representative of that person.

(2) A person is a duly authorized representative only if:

(a) The authorization is made in writing by a person described in subsection a.;

(b) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such
as the position of plant manager, operator of a well or well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company.

(c) The written authorization is submitted to the:
Regional Administrator, as noted in Part I., section B.

(3) If a written authorization pursuant to subsection 11. b. is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph 11. b. must be submitted to the Regional Administrator and the Commissioner of DPNR prior to or together with any reports or information to be signed by an authorized representative.

c. Certification. Any person signing a document under subsection a. or b. shall make the following certification:

"I certify under penalty of the law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

12. Reporting Requirements

a. Planned changes. The Permittee shall give notice to the Regional Administrator and Commissioner of DPNR as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

(1) The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a "new source" in 40 CFR, Part 122.29(b); or

(2) The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification requirement applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under Part I.C.7, above.

b. Anticipated noncompliance. The Permittee shall give advance notice to the Regional Administrator and the Commissioner of DPNR of any planned changes in the facility or activity which may result in noncompliance with permit requirements as soon as it becomes aware of the circumstances.

c. Transfers

(1) This permit is not transferable to any person except after notice to the Regional Administrator and the Commissioner of DPNR. Except as provided in paragraph c.(2) below, a permit may be transferred by the existing Permittee to a new owner or operator only if the permit has been modified or revoked and reissued, or a minor modification made, to identify the new Permittee and incorporate such other requirements as may be necessary under the Clean Water Act.

(2) This permit may be automatically transferred to a new Permittee if:

(a) The existing Permittee notifies the Regional Administrator and the Commissioner of DPNR at least thirty (30) days in advance of the proposed transfer date in subparagraph (b);

(b) The notice contains a written agreement between the existing and new Permittee containing a specific date for transfer of permit responsibility, coverage, and liability between them; and

(c) The Commissioner does not notify the existing Permittee and the proposed new Permittee of his or her intent to modify or revoke and reissue the permit. (A modification under this paragraph may also be a minor modification under 40 CFR, Part 122.63.) If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in subparagraph (b).

(3) If this permit is automatically transferred in accordance with the provisions of paragraph (2), the permit maybe modified to reflect the automatic transfer after its effective date.

d. Monitoring Reports.

(1) Monitoring results shall be reported at the intervals specified in Part I of this permit.

(2) Monitoring results shall be reported on a Discharge Monitoring Report (DMR).

(3) If the Permittee monitors any pollutant more frequently than required by the permit, using test procedures approved under 40 CFR 136 or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR.

(4) Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in the permit.

e. Compliance Schedules. Reports of compliance or noncompliance with, or any progress reports on, interim or final requirements contained in any compliance schedule of this permit shall be submitted no later than fourteen (14) days following each schedule date.

f. Twenty_four hour reporting.

(1) The following information shall be reported orally to the Regional Administrator at (212) 267-5000, the US EPA VI Coordinator's Office at (340) 714-2333, DEPARTMENT OF HEALTH AT (340) 774-9000 and the Commissioner of DPNR at (340) 774-3320 immediately upon detection and at least within twenty-four (24) hours from the time the Permittee becomes aware of the circumstances:

(a) Any noncompliance which may endanger health or the environment;

(b) Any unanticipated bypass (see 13 below) which violates any effluent limitation in the permit;

(c) Any upset (see 14 below) which violates any effluent limit in the permit; or

(d) The violation of a maximum daily discharge limitation for any of the pollutants listed in Part I of this permit is required to be reported within twenty-four (24) hours. This list includes any toxic pollutant or hazardous substance, or any pollutant specifically identified as the method to control a toxic pollutant or hazardous substance.

(2) In addition to the oral twenty-four (24) hour report, the Permittee shall also provide a written submission to the Regional Administrator, the US EPA VI Coordinator, THE DEPARTMENT OF HEALTH and the Commissioner of DPNR within five (5) days of the time the Permittee becomes aware of the circumstances. The written submission shall contain:

a) a description of the noncompliance and its cause;

b) the period of noncompliance, including exact dates and times;

c) the estimated time noncompliance is expected to continue if it has not been corrected; and

d) steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

e) if the noncompliance involves an overflow, the written submission must contain:

(i) The location of the overflow;

(ii) The receiving water, including bays, guts, ponds, etc.;

(iii) An estimate of the volume of the overflow;

(iv) A description of the sewer system component from which the release occurred (e.g., manhole, constructed overflow pipe, crack in pipe);

(v) The estimated date and time when the overflow began and stopped or will be stopped;

(vi) The cause or suspected cause of the overflow;

(vii) Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the overflow and a schedule of major milestones for those steps;

(viii) An estimate of the number of persons who came into contact with wastewater from the overflow; and

(3) Except with respect to written reports required under paragraph (1)(a) of subsection f. above, the Commissioner may waive the written report on a case by case basis if the oral report has been received within twenty_four (24) hours.

g. Public notification.

(1) The Permittee shall, in the event of a sewage bypass or upset with a duration of more than eight [8] hours:

(a) Furnish a copy of the notice of potential health risk, to a radio station serving the area affected as soon as possible, but in no event later than twenty-four [24] hours following the violation.

(b) Furnish a copy of the notice of potential health risk, to a television station serving the area affected as soon as possible, but in no event later than twenty-four [24] hours following the violation.

(c) Submit for publication a notice of potential health risk in a newspaper of general circulation in the area affected, as soon as possible, but in no event later than twenty-four [24] hours following the violation and continue daily publication for as long as the violation exists.

(d) Post a sign(s) in a conspicuous place in the area affected that will warn the public of the potential health risk, as soon as possible, but in no event later than twenty-four [24] hours following the violation. Posting shall continue for as long as the potential risk to health exists.

(e) In the event of a continuing sewage bypass lasting greater than forty-eight [48] hours, public notice shall be updated and reissued as outlined in (a), (b), and (c) above and every twenty four [24] hours of sewage bypassing thereafter.

(f) At the end of a continuing bypass lasting greater than eight [8] hours, public notice shall be issued by means of the same media listed in (a), (b), and (c) above, informing the public of the end of the bypass and the extent of remaining health risks, if any.

(2) The Permittee shall, in the event of an anticipated sewage bypass or upset, with a duration expected to last more than eight [8] hours, give the public notification, at least, one day in advance of the anticipated bypass or upset, consistent with the notice requirements contained in (a) through (d) of this section.

(3) The following public notice, properly, completed, shall be used in compliance with (1) and (2) of this section.

PUBLIC NOTICE

On *[date]* the *[Department or Company]* [has begun to/will] discharge [bypass] sewage into *[location/water body]* from the _____[pumping station/sewer line].
The reason for this discharge is *[state reason]*. This discharge will continue until *[date].*

Standing or running water in these areas may contain contaminants or pollutants harmful to human health. **As a result of such discharge, sewage is reaching the *[water body]*. The water quality of *[impacted water body]* will be tested by the Department of Planning and Natural Resources [DPNR]. This discharge may increase the bacteriological levels in the water at *[water body]*.** The public is advised to refrain from using the waters at *[water body]* until the problem is corrected and the public health concern has been alleviated. This includes activities such as fishing and bathing.

For additional information please call *[name and telephone number]*.

h. Other noncompliance. The Permittee shall report to the Regional Administrator and the Commissioner of DPNR of all instances of noncompliance not reported under subsections d, e, and f at the time the monitoring report covering the period of noncompliance is submitted. The reports shall contain the information listed in paragraph (2) of subsection f., above.

I. Other information. Where the Permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Regional Administrator or the Commissioner of DPNR, it shall promptly submit such facts or information to the Regional Administrator and the Commissioner of DPNR.

13. Bypassing.

a. Bypass not violating limitations. The Permittee may allow any bypass to occur which does not cause effluent limitations to be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of subsections 13.b. and 13.c. below.

b. Notice

(1) Anticipated bypass. If the Permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten (10) days before the date of the bypass.

(2) Unanticipated bypass. The Permittee shall submit notice of an unanticipated bypass as required in subsection f. of section 12 above.

c. Prohibition of bypass.

(1) Bypass is prohibited and the Commissioner may take enforcement action against a Permittee for bypass, unless:

(a) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

(b) There was no feasible alternatives to the bypass, such as auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back up equipment should have been installed in the exercise of reasonable engineering judgement to prevent a bypass which occurred during normal periods of equipment downtime or maintenance; and

(c) The Permittee submitted notices as required under subsection 13.b.

14. Upset.

a. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with technology_based effluent limitations if the requirements of subsection b. are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

b. Conditions necessary for a demonstration of upset. A Permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

I. Other information. Where the Permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Regional Administrator or the Commissioner of DPNR, it shall promptly submit such facts or information to the Regional Administrator and the Commissioner of DPNR.

13. Bypassing.

a. Bypass not violating limitations. The Permittee may allow any bypass to occur which does not cause effluent limitations to be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of subsections 13.b. and 13.c. below.

b. Notice

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(c) The Permittee submitted notices as required under subsection 13.b.

14. Upset.

a. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with technology_based effluent limitations if the requirements of subsection b. are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

b. Conditions necessary for a demonstration of upset. A Permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

(1) An upset occurred and that the Permittee can identify the cause(s) of the upset;

(2) The permitted facility was at the time being properly operated; and

(3) The Permittee submitted notice of the upset as required in subsection f. of section 12 above; and

(4) The Permittee complied with any remedial measures required under section 4 above (duty to mitigate).

(5) Burden of proof. In any enforcement proceeding the Permittee seeking to establish the occurrence of an upset has the burden of proof.

15. Removed substances. Solids, sludges, filter backwash or other pollutants removed in the course of treatment or control of wastewaters and/or the treatment of intake waters shall be disposed of in a manner such as to prevent any pollutant from such materials from entering navigable waters. The following data shall be reported together with the monitoring data required in Part I, B.2.:

a. The sources of the materials to be disposed of;
b. The approximate volumes and weights;
c. The method by which they were removed and transported; and
d. Their final disposal locations.

16. Oil and hazardous substance liability. The imposition of responsibilities upon, or the institution of any legal action against the Permittee under section 311 of the Clean Water Act shall be in conformance with regulations promulgated pursuant to Section 311 to discharges from facilities with NPDES permits.

17. Reopener clause for toxic effluent limitations.

Notwithstanding any other condition of this permit, if any applicable toxic effluent standard or prohibition is promulgated under Section 301(b)(2)(C) and (d), 304(b)(2) and 307(a)(2) of the Clean Water Act and that effluent standard or limitation is more stringent than any effluent limitation in the permit or controls a pollutant not limited in the permit, this permit shall be promptly modified or revoked and reissued to conform to that effluent standard or prohibition.

18. Availability of information.

a. TPDES permits, effluent data, and information required by TPDES application forms provided by the Commissioner under 40 CFR, Part 122.21 (including information submitted on the forms themselves and any attachments used to supply information required by the forms) shall be available for public inspection at the offices of the Regional Administrator and the Commissioner of DPNR.

b. In addition to the information set forth in subsection a. Any other information submitted to EPA in accordance with the conditions of this permit shall be made available to the public without further notice unless a claim of business confidentiality is asserted at the time of submission in accordance with the procedures in 40 CFR, Part 2 (Public Information).

c. If a claim of confidentiality is made for information other than that enumerated in subsection a., that information shall be treated in accordance with the procedures in 40 CFR Part 2. Only information determined to be confidential under those procedures shall not be made available by EPA for public inspection.

19. Severability. The Provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

C. EFFECTIVENESS OF PERMIT

1. This permit shall become effective in its entirety on the date indicated on the first page of this permit unless a request for a hearing is made in accordance with the provisions of 12 V.I.C. Section 188(c).

-END-